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NEW DELHI, SATURDAY, OCTOBER 4, 1997/ASVINA 12, 1919

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह ग्रस्स संकलन के रूप में रखा जा सके

Separate Paging is given to this Part in order that it may be filed as a Separate compilation

भाग II—वण्ड 3—उप-वण्ड (ll) PART II—Section 3—Sub-Section (li)

मारत सरकार के मंद्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सर्विधिक आवेग और अधित् चनाएं Statutory Orders and Notifications Issued by the Ministries of the Government of India (Other than the Ministry of Defence)

काभिक, लोक शिकायत तथा पेंशन मंत्रालय

(कार्मिक श्रीर प्रशिक्षण विभाग)

श्रादेश

नई दिल्ली, 19 सितम्बर, 1997

का० आ० 2467.—केन्द्रीय सरकार एतद्द्रारा दिल्ली विशेष पुलिस स्थापना अधिनियम, 1946 (1946 का अधिनियम सं० 25) की धारा 6 के साथ पठित धारा 5 की उपधारा (1) हारा प्रदत्त गिवत्यों का प्रयोग करने हुए, याचिका सं० 2765/97 और 2779/97 के सिन्निले में राजस्थान उच्च न्यायालय की जयपुर खंडपीठ हारा दिनांक 19-5-1997 को जारी किए गए आदेश के अनुपालन में, राजस्थान राज्य सरकार के दिनांक 17 जुलाई, 1997 के प्रादेश फा० सं० 14(6)/होम/जी आर 5/97 हारा प्रकान की गई सहमति से, पुलिस चौकी वैशाली नगर, जयपुर में दायर प्रथम स्चना रिपोर्ट सं० 105/97 के भारतीय वंड संहिता की धारा 326/307, 354, 120(ख) के अंतर्गत

दंडनीय शपराधों श्रौर पुलिस चौकी सदर, जयपुर में दायर प्रथम सूचना रिपोर्ट सं० 158/97 के, भारतीय दंड संहिता की धारा 354, 342, 504, 509 के श्रन्तांत दंडनीय श्रपराधों; तथा

उपर्युक्त एक अपराध अयवा अधिक अपराधों के संबंध में या उनसे संबंधित प्रयासों, दुब्बेरणों भौर षड्यंतों भौर उसी संव्यवहार के सिलसिले में किए गए अथवा उन्हीं तथ्यों से उद्भूत किसी अन्य अपराध अथवा अपराधों के अन्वेषण के लिए दिल्ली विशेष पुलिस स्थापना के सदस्यों की णक्तियों और अधिकारिता का संपूर्ण राजस्थान राज्य के भीतर विस्तार करती है।

[संख्या 228/40/97-ए वी डी/II] हरि सिंह, श्रवर सणिव

MINISTRY OF PERSONNEL, PUBLIC GRIEVANCES AND PENSION

(Department of Personnel & Training)

ORDER

New Delhi, the 19th September, 1997

S.O. 2467.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (Act No. 25 of 1946), the Central Government with the consent of the State Government of Rajasthan vide Order No. F-14(6) Home Gr. V|97 dated 17 July, 1997, granted in pursuance of an order of Rajasthan High Court Bench, Jaipur dated 19-5-1997 in Writ Petition No. 2765 97 and 2779|97, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of State of Rajasthan for investigation of the offences punishable under section 326|307, 354, 120-B IPC of FIR No. 105|97 registered at Police Station Vaishali Nagar, Jaipur and offences punishable under section 354, 342, 504, 509, IPC of FIR No. 158|97 registered at Police Station Sadar, Jaipur abetments attempts, and conspiracies relation to or in connection in one or more of the offences mentioned above and any other offence or offences committed in the course of the same transaction or arising out of same facts.

[No. 228|46|97-AVD.II] HARI SINGH, Under Secy.

भ्रादेश

मई दिल्ली, 19 सितम्बर, 1997

का० प्रा० 2468.—केन्द्रीय सरकार, दिल्ली विशेष पृलिस स्थापना अधिनियम, 1946 (1946 का 25) की धारा 6 के साथ पठित धारा 5, उपधारा (1) द्वारा प्रवत्त शिवतयों का प्रयोग करते हुए, राजस्थान सरकार के गृह विभाग (समृह 5) के आदेश संख्या एक० 14(21) होम-5/96 दिनोक 12 फरवरी, 1997 द्वारा दी गयी सहमति से, मारतीय दंड संहिता 1860 (1860 का 45) की धारा 420, 467, 468, एवं 120(ख) के अधीन थाना सदर, जिला-श्रीगंगानगर (राज०) में पंजीकृत अपराध संख्या 301/96 के अन्वेषण के लिए या उन्हीं तथ्यों से उत्पन्न होने वासे वैसे संस्थवहार के अनुक्रम में किया या किये गये किसी अन्य अपराध के अनुक्रम में किया या किये गये किसी अन्य अपराध के अनुक्रम में किया या किये गये किसी अन्य अपराध के अनुक्रम में किया या किये गये किसी अन्य अपराध के अनुक्रम में किया या किये गये किसी अन्य अपराध के अनुक्रम में किया या किये गये किसी अन्य अपराध के अनुक्रम में किया या किये गये किसी अन्य अपराध के अनुक्रम में किया या किये गये किसी अन्य अपराध के अनुक्रम में किया या किये गये किसी अन्य अपराध के अनुक्रम में किया या किये गये किसी अन्य अपराध के अनुक्रम में किया या किये गये किसी अन्य अपराध के अनुक्रम में किया या किये गये किसी अन्य अपराध के अनुक्रम में किया या किये गये किसी अन्य अपराध के अनुक्रम में किया या किये गये किसी अन्य अपराध के अनुक्रम में किया या किये गये किसी अनुक्रम स्थापना के सवस्यों की शिवतयों और अधिकारिता का विस्तार सम्पूर्ण राजस्थान राज्य पर करती है।

[सं० 228/55/97-ए वी डी-II] हरि सिंह, ग्रवर सचिव

ORDER

New Delhi, the 19th September, 1997

S.O. 2468.—In exercise of the powers conferred by sub-section (1) of section 5 read with section 6 of the Delhi Special Police Establishment Act, 1946 (Act, No. 25 of 1946), the Central Government with the consent of the State Government of Rajasthan accorded vide Home (GR. V) D-partment Order No. F-14(21) Home-5|96 dated 12 Feb. 1997, hereby extends the powers and jurisdiction of the members of the Delhi Special Police Establishment to the whole of State of Rajasthan for investigation of the offences in FIR No. 301|96 Police Station Sadar District-Sri-Ganganavar (Rajasthan) under section 420, 467, 468, 120-B of the Indian Penal Code 1860 (45 of 1860) of any other offence or offences committed in the course of the same transaction or arising out of the said case,

[No. 228|55|97-AVD.II] HARI SINGH, Under Secy.

वित्त मंत्रालय (राजस्व विभाग)

नई दिल्ली, 12 अगस्त, 1997

(भ्रायकर)

का.श्रा. 2469.—श्रायकर श्रिधिनियम, 1961 (1961 का 43) की धारा 10 के खंड (23-ग) के उपखंड (V) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा "श्री दत्ता देवस्थान द्रस्ट, श्रहमदनगर, महारांष्ट्रं' को कर-निर्धारण वर्ष 1997-98 से 1999-2000 तक के लिए निम्नलिखित शर्तों के श्रधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ श्रिधसूचित करती है, श्रर्थात् :-

- (i) कर-निर्धारिती इसकी श्राय का इस्तेमाल अथवा इसकी श्राय का इस्तेमाल करने के लिए इसका संचयन पूर्णतथा तथा श्रनन्यतथा उन उद्देश्यों के लिए करेगा, जिनके लिए इसकी स्थापना की गई है ;
- (ii) कर-निर्धारिती ऊपर-उिल्लिखन कर-निर्धारण वर्षों से संगत पूर्वधनी वर्षों की किसी भी अविध के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से शिधक ढंग अथवा तरीकों से भिन्न तरीकों से इसकी निधि (जेवर-जवाहिरात, फर्नीचर ग्रादि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक ग्रंशदान से भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;

(iii) यह स्रधिसचना किसी ऐसी स्राय के संबंध में जाग नहीं होगी, जो कि कारोबार से प्राप्त के संवंध के जाग नहीं हो जा तक प्राप्त के उद्देश्यों की अ. . के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में सलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों।

[प्रिधिसूचना सं. 10391/फा.सं. 197/89/97-ग्रायकर नि.-1] एच. के. चौधरी, ग्रवर सचिव

MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 12th August, 1997 (INCOME-TAX)

S.O. 2469—In exercise of the powers conferred by subclause (v) of Clause (23C) of Sect.on 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Shree Datta Deosthan Trust, Ahmednagar, Maharashtra" for the purpose of the said sub-clause for the assessment years 1997-98 to 1999-2000 subject to the following ment years 1997-93 to 1999-2000 subject to the following conditions, namely:—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained the form of jewellery, furniture etc.) for any per'od during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 10391/F. No. 197/89/97-ITA-I] H. K. CHOUDHARY, Under Secy.

नई रिल्ली, 12 अगस्त, 1997 (भ्रायकर)

का.म्रा. 2470.— प्रायकर म्रधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23-ग) के उपखण्ड (V) द्वारा प्रवस्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एनइदारा "दक्षिणेश्वर रामकृष्ण संघ, दक्षिणेश्वर, कलकत्ता" को कर-निर्धारण वर्ष 1998-99 से 2000-01 तक के लिए निम्नलिखित शतों के भ्रधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ स्रधिसूचित करती है, स्रर्थान्:—

(i) कर-निर्धारिती इसकी श्राय का इस्तेमाल श्रयवा इसकी ग्राय का इस्तेमाल करने के लिए इसका संचयन पर्णत्या तथा ग्रमन्यतया उन उद्ध्यों के लिए करेगा, जिनके लिए इसकी स्था-पना की गई है ;

- (i1) कर-निर्धारिती ऊपर-उल्लिखित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी प्रविध के दौरान धारा 11 की उपधारा (5) में विनिध्धि किसी एक प्रथवा एक से प्रधिक दंग भववा तरीकों से भिन्न तरीकों से इसकी निधि/जेवर-जवाहिरात, फर्नीचर ग्रादि के रूप में प्राप्त तथा रख-रखाव में स्वैच्छिक ग्रंगदान से भिन्न) का निवेश नहीं करेगा ग्रथवा उसे जमा नहीं करवा सकेगा;
- (iii) यह प्रधिसूचना किसी ऐसी ग्राय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा ग्राभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रांसगिक नहीं हो तथा ऐसे कारोबार के संबंध में ग्रालग से लेखा-पुस्तिकाएं नहीं रखी जाती हो।

[भ्रधिसूचना सं 10393/फा. सं. 197/66/97-श्रायकर (नि.-1)]

एच. के. चौधरी, भ्रवर सचिव

New Delhi, the 12th August, 1997

(INCOME-TAX)

S.O. 2470.—In exercise of the powers conferred by subclause (v) of clau e (23C) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies "Dakshineswar Ramkrishna Sangha, Dakshineswar, Calcutta" for the purpose of the said sub-clause for the assessment years 1998-99 to 2000-01 subject to the following conditions, namely:—

- (i) the assessee will apply its income, or accumulate for application, wholly and exclusively to the objects for which it is established:
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11:
- (iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 10393/F. No. 197/66/97-ITA-II H. K. CHOUDHARY, Under Secy

नई दिल्ली, 17 सितम्बर, 1997 (ग्रायकर)

का.मा. 2471.— श्रायकर ग्रधिनियम, 1961 (1961 का 43) की धारा 10 के खण्ड (23) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद् द्वारा "हरियाणा किकेट एसोसिएशन, भिवानी (हरियाणा)" को का 1995-96 से 1997-98 तक के कर-निर्धारण वर्षों के लिए निम्नलिखित णर्तों के अधीन पहेंने हुए उक्त खंड के प्रयोजनार्थ अधिस्चित करनी है, अथीन :—

- (i) कर-निर्धारिती उसकी श्राय का इस्तेमाल श्रथवा उसकी श्राय का इस्तेमाल करने के लिए उसका संचयन इस प्रकार के सच्यन हेतु उक्त खंड (23) द्वारा ययासंगोधित धारा 11 की उपधारा (2) तथा (3) के उपधंधों के श्रनुक्ष पूर्णत्या तथा श्रमन्यतया उन उद्देशों के लिए करेगा, जिनक लिए इसकी स्थापना की गई है;
- (ii) कर-निर्धारिती ऊपर-उित्तिष्ठित कर-निर्धारण वर्षों से संगत पूर्ववर्ती वर्षों की किसी भी अविध के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों से उसकी निधि (जेवर-जवाहिरात, फर्नीचर अथवा किसी अन्य वस्तु, जिसे उपर्युक्त खंड (23) के तीकर प्रन्तुक के अधीन बोर्ड द्वारा अधिस्चित किया जाए, के रूप में प्राप्त तथा रख-रखाज में अंगदान से भिन्न) का निवेण नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;
- (iii) कर-निर्धारिती अपने सदस्यों की किसी भी तरीके से अपनी श्रीय के किसी भाग को संवितरण श्रट्ठने से संबद्ध किसी एसोसिएणन अयवा संस्था को अनुदान के अलावा नहीं करेगा; श्रीर
- (iv) यह ध्रिधसूचना किसी ऐसी श्राय के संबंध में लागू नहीं होगी, जो कि कारोबार से प्राप्त लाभ तथा श्रीभलाभ हों जब तक कि ऐसा कारोबार उक्त कर-निर्वारितों के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में भ्रलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों।

[म्रिधिसूचना सं. 10413/फा सं.196/15/97-फ्रायकर नि.-I] एच. के. चोधरी, फ्रवर सचिव

New Delhi, the 17th September, 1997

(INCOME-TAX)

- S.O. 2471.—In exercise of the powers conferred by clause (23) of Section 10 of the Income-tax Act, 1961 (43 of 1961), the Central Government hereby notifies the "Haryana Cricket Association, Bhiwani (H.P.)" for the purpose of the said clause for assessment years 1995-96 to 1997-98 subject to the following conditions, namely:—
 - (i) the assessee will apply its income, or accumulate it for application, in consonance with the provisions of sub-sections (2) and (3) of Section 11 as modified by the said clause (23) for such accumulation wholly and exclusively to the objects for which it is established;

- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewedery, furniture or any other article as may be notified by the Board under the third prevision to the aforesaid clause (23) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the forms or modes specified in sub-section (5) of Section 11;
- (iii) the assessed will not distribute any part of its income in any manner to its members except as grants to any association or institution affiliated to it; and
- (iv) this notification will not apply in relation to any income, being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business.

[Notification No. 10413/F. No. 196/15. 97-ITA-I] H. K. CHOUDHARY, Under Secy.

गुद्धिपत

नई दिल्ली, 17 सितम्बर, 1997

का. श्रा. 2472.—भारत सरकार, वित्त मंत्रालय, श्राधिक कार्य विभाग (बैंकिंग प्रभाग) द्वारा भारत के राजयत्न माग II खंड 3(ii) में प्रकाशन के लिए जारी की गई दिनांक 29 अगस्त, 1997 की प्रधिसूचना मं0 15/6/97-बीक्रोए में उक्त ग्रधिसूचना की पंक्ति 4 में "बैंक इंडोसूएज" शब्दों के स्थान पर "केंडिट एग्रीकोल इंडोसूएज" पढ़ा जाए।

[सं० 15/6/97-बी ग्रो ए] कें०कें० मंगल, ग्रवर सचिव

CORRIGENDUM

New Delhi, the 18th September, 1997

S.O. 2472.—In the notification No. 15|16| 97-BOA dated 29th August, 1997 issued by Government of India, Ministry of Finance. Department of Economic Affairs (Banking Division) for publication in the Gazette of India Part II, Section 3(ii), in line 5 of the aforesaid notification, for the words "Banque Indosuez" read "Credit Agricole Indosuez".

[No. 15|6|97-BOA] K. K. MANGAL, Under Secy.

नई विल्ली, 17 सितम्बर, 1997

का. भा. 2473.— बैंककारी विनियमन ग्रिधिनियम, 1949 (1949 का 10) की धारा 56 के साथ पठित धारा 53 द्वारा प्रसत्त शिक्तयों का प्रयोग करते हुए, भारत सरकार, भारतीय रिजर्व वैक की संस्तुति पर, एतद्वारा, धोषणा करती है कि उक्त ग्रिधिनियम की धारा II की उप-धारा I के उपबन्ध इस ग्रिधिमूचना के शासकीय राजपन्न में प्रकाशित होने की तारीख से

विनांक 31 मार्च, 1999 तक दरभंगा सैन्द्रल को-ग्रापरेटिय बैंक लि., दरभंगा (बिहार) पर लाग् नहीं होंगे।

> [सं. 1(21)/97-ए.सी.] एस.के. ठाकुर, अवर सचिव

New Delhi, the 17th September, 1997

S. O. 2473.—In exercise of the powers conferred by Section 53 read with Section 56 of the Banking Regulation Act, 1949 (10 of 1949), the Central Government on the recommendations of the Reserve Bank of India declares that the provisions of sub-section 1 of Section 11 of the said Act shall not apply to the Darbhanga Central Co-operative Bank Ltd. Darbhanga (Bihar) from the date of publication of the notification in the Official Gazette to 31st March, 1999.

[No. 1(21)|97-AC] S. K. THAKUR. Under Secy.

(मार्थिक कार्य विभाग) (बैंकिग प्रभाग)

नई दिल्ली, 17 सितम्बर, 1997

का. भा. 2474.—राष्ट्रीयकृत वैंक (वेंक भार की उपबन्ध), 1970 के खण्ड 3 के उप-खण्ड (1) के साथ पहिस बैककारी कम्पनी (उपक्रमों का श्रार्जन एवं अंतरण), श्रिधिनियम, 1970 की धारा 9 की उपधारा 3 के खण्ड (ग) द्वारा प्रवत्त प्रक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एसवद्वारा श्री के एम. गुरते मुख्य महा प्रबन्धक, भारतीय रिजवं बैंक, मुम्बई कार्यालय मुम्बई की श्री ए. क्यू. सिद्धीको के स्थान पर सेन्ट्रन बैंक श्राफ इंडिया का निदेणक नामित करती है।

[सं. एक. 9.18 | 95-बी.भी. <math>1(1)] मुधीर श्रीवास्तव, निदशक

(Department of Economic Affairs)
(Banking Division)

New Delhi, the 17th September, 1997

S.O. 2474.—In exercise of the powers conferred by clause (c) of sub-section 3 of section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 read with sub-clause (1) of clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government hereby nominates Shri K. N. Gangurde. Chief General Manager, Reserve Bank of

India, Mumbai Office, Mumbai as a Director of Central Bank of India vice Shri A. Q. Siddiqi.

|F. No. 9|3|96-B-O(I)| SUDHIR SHRIVASTAVA, Director

नई दिल्ली, 17 सितम्बर, 1997

का.भा. 2475 --- राष्ट्रीयकृत बैंक (प्रबन्ध ग्रौर प्रकीर्ण उपबंध) स्कीम, 1970 के खण्ड 3 के उपखण्ड के साथ पठित बैंककारी (उपक्रमों कम्यती का ग्रधिनियम, श्रर्जम एवं श्रंतरण) 1970 की धारा, खण्ड (ग) प्रदत्त गक्तियों प्रयोग करते हुए कन्द्रीय सरकार. श्री एस.आर. मितल, मुख्य महाप्रबन्धक, प्तदबारा बैंक विभाग, बैक शहरी श्री बी.एस.एम. ग्राचार्य कार्यालय. म म्बई को के स्थान पर कारपोरेशन बैक ना निदेशक नामित करती है।

> [सं. एफ 9/18/95-बी.श्रां.-1(ii)] सुधीर श्रीवास्तव, निदेशक

New Delhi, the 17th September, 1997

S.O.2475.—In exercise of the powers conferred by clause (c) of sub-section 3 of section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980 read with sub-clause (1) of clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1980, the Central Government hereby nominates Shri S. R Mittal, Chief General Manager, Reserve Bank of India, Urban Bank's Department, Central Office, Mumbai as a Director of Corporation Bank vice Shri B. S. M. Acharya.

IF. No. 9/18/95-B.O. 1(ii)] SUDHIR SHRIVASTAVA, Director

नई दिल्ली, 18 सितम्बर 1997

का.भा. 2476.--भारतीय लघु उद्योग विकास बैंक ग्रधिनियम, 1989 (1989 का 39) की घारा 6 की उपधारा (1) के खण्ड (ख) द्वारा शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, एतदद्वारा, उद्योग मंत्रालय, लघु उद्योग एवं कृषि तथा ग्रामीण उद्योग विभाग, नई दिल्ली संयुक्त ब्रह्मदत्त को श्री एस. एस. बोपराय लघ् उद्योग विकास बैंक के निदेशक में नामित करती है।

[फा .सं . एफ 9/3/96—बी .स्रो .-I(i)] मुधीर श्रीवास्तव, निदेशक

New Delhi, the 18th September, 1997

S.O. 2476.—In exercise of the powers conferred by clause (b) of sub-section (1) of Section 6 of the

Small Industries Development Bank of India Act, 1989, (39 of 1989), the Central Government hereby nominates Shri Brahm Dutt, Joint Secretary, Ministry of Industry, Department of Small Scale Industries and Agro and Rural Industries, New Delhi as a Director of Small Industries Development Bank of India vice Shri S. S. Boparai.

[F. No. 9/3/96-B.O. I (i)] SUDHIR SHRIVASTAVA. Director

नई दिल्ली, 18 सितम्बर, 1997

का. आ. 2477.- राष्ट्रीयकृत बैंक (प्रबन्ध भीर प्रकीर्ग उपबंध) स्कीम, 1980 के खण्ड 3 के उपखण्ड के साथ पठित बैंककारी कंपनी (उपक्रमों एवं श्रंतरग) अधिनियम 1980 की धारा 9 की उप-धारा 3 के खण्ड (ख) द्वारा प्रदत्त शक्तियों केन्द्रीय सरकार, एतद्वारा वित्त विभाग (ग्राधिक प्रभाग), मंत्रालय, भ्रायिक कार्य नई दिल्ली के सनाष्ट्रकार, डा. एस.एन. सुधीर शर्मा के स्थान पर विजया बैंक का निवेशक नामित करती है।

> [संख्या एक 9/3/96 बी. ओ.1(ii)] मुधीर श्रीवास्तव, निवेशक

New Delhi, the 18th September, 1997

S.O. 2477.—In exercise of the powers conferred by clause (b) of sub-section 3 of section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1980 read with sub-clause (1) of Clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1980, the Central Government hereby nominates Dr. S. N. Kaul, Adviser, Ministry of Finance, Department of Economic Affairs (Economic Division), New Delhi as a Director of Vijaya Bank vice Shri Sudhir Sharma.

[F. No. 9/3/96-B.O. I (ii)] SUDHIR SHRIVASTAVA, Director.

नई दिल्ली, 19 सितम्बर, 1997

का. थ्रा. 2478. — राष्ट्रीयकृत वैंक (प्रबन्ध श्रीर प्रकीण उपबंध) स्कीम, 1970 के खण्ड 3 के उपखंड (i) के साथ पठिल बैंककारी कंपनी (उपक्रमों का श्रर्जन) एवं संतरण) श्रिधनियम, 1970 की धारा 9 की उपधारा 3 के खण्ड (ख), ब्रारा प्रवत्त सक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एतद्द्रारा, बित्त मंत्रालय, श्राधिक कार्य विभाग (बैंकिंग प्रभाग), नई दिल्ली के निदेशक, श्री एस.के.जे. श्रीवास्तत्र को श्री के.बी.एल. मायुर के स्थान पर इंडियन बैंक का निदेशक नामित करती है।

[सं.एफ. 9/3/96-वी.को.(I)] के.के. मंगल, प्रवर सचिव New Delhi, the 19th September, 1997

S. O. 2478.—In exercise of the powers conferred by clause (b) of sub-section 3 of section 9 of the Banking Companies (Acquisition and Transfer of Undertakings) Act, 1970 read with sub-clause (1) of clause 3 of the Nationalised Banks (Management and Miscellaneous Provisions) Scheme, 1970, the Central Government hereby nominates Sh. S. K. J. Srivastava. Director, Ministry of Finance, Department of Economic Affairs (Banking Division), New Delhi as a Director of Indian Bank vice Dr. K. B. L. Mathur.

[F. No. 9|3|96-B.O.(I)] K. K. MANGAL, Under Secy.

नई दिल्ली, 19 सितम्बर, 1997

का.श्रा. 2479. केन्द्रीय सरकार, राजभाषा (संघ के णासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उपनियम (4) के श्रनुसरण में, निम्नलिखित बैंकों के सूचीबद्ध कार्यालय/णाखाओं को, जिनके 80 प्रतिगत से श्रिष्ठिक कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है एतद्द्वारा श्रिष्ट्वित करती है:—

ऋम सं. बैंक का नाम	कार्यात्रत्र/गाषात्रों की संख्या
1. स्टेट बैंक श्राफ सौराप्ट्र	49
2. पंजाब नेशनल बैंक	24
 यूनियन बैंक आफ इंडिया 	50
4. भारतीय श्रीधोगिक निवेश बैंक लि	0 1
 भारतीय भौद्योगिक विकास वैंक 	01
कु ल	125

[सं. 11016/4/97-हिन्दी)] जी. श्रार. शुमन, उप समिव

राजभाषा नियम 10(4) के मंतर्गत अधिश्चित की जाने वाली शाखामों की सुची

स्टेट बैंक प्रॉफ सौराष्ट्र
राजकोट प्रंचल कार्यालय,
प्रशासनिक कार्यालय,
स्टेट बैंक प्रॉफ सौराष्ट्र,
स्वामी विवेकानन्द मार्ग,
रामकृष्ण नगर, डाक पेटी सं. 7,
राजकोट-360002(गुजरात)

- 2 सीदसर णाखा, स्टेट वैंक श्राफ महाराष्ट्र नयापरा, सीदसर-364060(गुजरात)
- अमरगढ़ शाखा,
 श्री के.जे. मेहना टी.जी. होस्पीटल कम्पाउण्ड, श्रमरगढ़-364210(ग्जरात)
- टाइच शाखा, तहसील—पालीताणा ठाडन-364140(गुजरात)
- कोलियाक पाखा,
 हाई स्कूल के पास,
 कोलियाक-364070(जिला-भावनगर)
- मोटा खुटबङ्ग शाखा, नहसील-महुवा, मोटा खुटबङा-364280 जिला भावनगर (गुजरात)
- चमारडी शाखा,
 चमारडी-364410
 तहसील-बाबरा (ग्जरात)
- दलखाणिया
 तहसील-धारी
 दलखाणिया-364651
 जिला-ग्रनरेली (गुजरात)
 - मितराना शाखा, तहसील-लाठी मितराला-364430(गुजरात)
- शाखपुर णाखा,
 तहसील-लाठी,
 णाखपुर-364220(गुजरात)
- 11. बाबेरा शाखा, तहसील-राज्ला, वाबेरा-364570 जिला-ग्रमरेली (गुजरात)
- 12. वणाकवारा णाखा, वणाकवारा-362570(ग्जरात)
- 13. घोघला शाखा, घोघला-362540(दीव)
- 14. गोविन्दपुर शाखा, गोविन्दपुर-364640 जिला-श्रमरेली (गुजरात)
- 15. खीरसरा शाखा, खीरसरा (घेड), तहसील फैशीद (जिला-जूनागढ़) (गुजरात-362224
- 16. माणावदर शाखा, गांधीचौक, माणावदर-362630 (गुजरा त)

- 17. मांगरोल शाखा, पुराना वस स्टैण्ड के पास, मांगरोल, (जिला (जुनागढ़) (गजरात)-362225
- 18. मोरासा शाखा, मोरासा-462275 जिला जुनागढ, (गुजरात)
- 19. त्रभास पाटण णाखा, ग्रम्णादय, सोमनाथ मंदिर के पास, प्रभास पाटण-362268(गुजरान)
- 20. सामण गीर शाखा, मामण गीर-362135 तह.--तलाला (गुजरात)
- 21. शापुर शाखा, ग्राम पंचायन कचेरी के पास, शापुर-362205(त. बंथली) जि.-जनागढ़(सूजरात)
- 22. शेरवाग गनु णाखा, रेलचे गेट के सामने, भेरवाग गन्नु, 362255(गुजरात)
- उना माखा. स्टेशन रोड, उना-362560(ग्तराद)
- 24. बंथली (नोपठ) णाखा, यंथली (सोरठ)-362610(ग्जरान)
- विसावदर शाखा,
 वैक रोड़, विसावदर-362130(गुजरात)
- 26. टंकारा शाखा, लक्ष्मीनारायण स्ट्रीट, टंकारा (ता. मोरबी, जिला-राजकोट), (गुजरात)-363650
- 27. जमदण शाखा,पटेल शेरी, जसदण-360050(गुजरात)
- 28. रामोद भाखा, रामोद (ता. कोटडा सांगाणी) 360311(जिला-राजकोट) (गुजरात)
- 29. भायावदर माखा, लोहाणा महाजन वाही के सामने, बजार चौक भायावदर (जिला-राजकोट)-360450 (गुजरात)
- 30. गांधीधाम णाखा, प्लाट नं. 258, वार्ड नं. 12-बी, गांधीधाम (गुजरात)-370201
- कोटडा सांगणी माखा,
 दरबारगड़ बाजार,
 कोटडा सांगाणी-360030(गुजरात)

- 32 चोटीला शाखा. स्देशन रोष, चोदीला-363520 (गुजरात)
- 33 कालावास गामा जिमका चीक, वानावाडा (मीनला)-381160 (गुजरात)
- 34. खंभालोग (मुख्य) माखा, गांधी चौक, खंबालीयाः ३६१३०५ (गुवनात)
- 35. भाटिया शाखा भाडियाः (जिला जामनगर)-361315 (गजरात)
- 36 म्ली शाखा, बिन्दीपा, मुली (जिला-स्रेन्द्रनगर)-363510 (ग्जरात)
- 37. जामवाली भाषा, जामवाली-361160 (गुजरात)
- 38 जामजोधपुर (मृख्य) शाखा, स्टेशन रोड, गांधी चौक, जामजोधसूर→360530
- 39 अंकलेश्वर शाखाः रवी काम्प्लेक्स, नये बस स्टैण्ड के सामने. जी आई श्री सी, औद्योगिक वसाहत अंकलेश्वर-393001 (गजरात)
- 40. श्राणंद माखा, मरदारगंज के सामने, पो.बा.सं. 1, श्राणंद-388001
- 41. छत्नाल शाखा, औद्योगिक वसाहत, प्लाट नं. 607, जीग्राईडीसी, छन्नाल-382729 (गजरात)
- 42 कलोल (उ.ग्.) शाखा, म्टेशन रोड, कलोल (च.गू.)-382721 (गुजरात)
- 43. खंभात शाखा, पारेख शॉपिंग सेंटर, तीन बली, म्टेशन रोड, खंभात-388620 (गुजरात)
- 4.4. मुम्बई (मांडवी) शाखा, 339/341, रायल चेम्बर्स, मेम्यूल स्ट्रीट, बडगाडी, मांडवी, मुम्बई-400056 (महाराष्ट्र)
- 45. सुरत (रिंग रोड) माखा, रिंग रोड, स्वामी बाग, फायर ब्रिगेड स्टेशन के सामने, सरत-- 395002 (गजरात)
- 46. साणंद णाखा, हरीकृष्ण संकुल, एस .टी . वस स्टेंड के सामने, माणद~382110(गुजरात)

- 47 ग्रहमदाबाच (जस्मानपुर) लाखा, अजंता कामिणयल सेन्टर, याश्रम रोष्ठ, उस्मानपुरा, यहमदाबाद-380009 (गजरात)
- 48. विसनगर शाखा. थीजी मार्थेट, बस स्टंड के पास कालेज रोड, विस्तागर- 384315 (ग्जरात)
- 19 नई दिल्ली (सिद्धार्थ एक्स) भाखा, 136, भगवाननगर, जीवन नर्सिंग होम के सामते, नई दिल्ली-110014

राजभाषा नियम 10(4) के अन्तर्गत अधिसृचित की जाने वाली शाखाश्रों की सुची

- 1 पंजाब नेशनल यैंक, शाखा कार्यालयः मैक्टर 8, चंडीगढ, चंडीगढ
- 2. पंजाब नेशनल बैंक, शाखा कार्यालय, सैक्टर 27, चंडीगढ
- 3. पंजाब नेशनल बैंक. शास्त्रा कार्यालय. कृषि बिन्त शाखा, चंडीगढ
- 4. पंजाब नेशनल बैंक, शास्त्रा कार्यालय, मैक्टर 4, पंचकुला हरियाणा ।
- 5. पंजाब नेशनल बैंक गाखा कार्यालय, सैक्टर 12, पंचकुला, जिला ग्रम्बाना हरियाणा ।
- 6. पंजाब नेशनल बैंक, **शाखा** कार्यालय, डी एवी कालेज, श्रंबाला शहर, हरियाणा
- 7. पंजाब नेणनल बैंकः णाखा कार्यालय, मीरा चौक, श्रीगंगानगर, जिला-श्रीगंगानगर, राजस्थान ।

- पंजाब नेशनल बैंक.
 शाखा कार्यालय,
 लखीसराय,
 जिला—लखीसराय,
 बिहार।
- 9 पंजाब नेशनल बैक, णाखा सैक्टर-13, श्रवंन एस्टेट, करनाल (हरियाणा)
- 10 पंजाब नेशनल बैंक, शाखा : नीलोखेड़ी, जिला : करनाल (हरियाणा)
- पंजाब नेशनल बैंक,
 शाखा : घीड
 जिला करनाल (हरियाणा)
- 12. पंजाब नेशनल बैंक, शाखा: जुण्डला जिला करनाल (हरियाणा)
- 13. पंजाब नेशनल बैंक, शाखा : कुजपुरा जिला: करनाल (हरियाणा)
- 14. पंजाब नेशनल बैंक, गाखा : पाढा, जिला : करनाल (हरियाणा)
- 15. पंजाब नेशनल बैंक, शाखा: तहसील कैम्प पानीपत जिला: पानीपत (हरियाणा)
- 16. पंजाब नेशनल वैंक, शास्त्रा : जाटल रोड, पानीपत जिला : पानीपत (हिरयाणा)
- 17. पंजाब नेशनल बैंक, शाखा: माण्डी, जिला:पानीपत (हरियाणा)
- 18. पंजाब नेणनल बैंक, णाखा: सुजानिसह पार्क मोनीपत, जिला मोनीपत, (हरियाणा)
- 19. पंजाब नेणनल बैंक, ग्रंग्रणी बैंक कार्यालय, पालिका बाजार, पानीपत. जिला. पानीपत (हरियाणा)
- 20. पंजाब नेशनल वैंक, धिणिष्ट लघु उद्योग शाखा कुण्डली, जिला:सोनीपन, (हरियाणा)

- 21. पंजाब नेशनल बैंक, विशिष्ट लधु उद्योग शाखा, नमस्ते चौक करनाल जिला करनाल (हरियाणा)
- 22 पंजाब नेशनल बैंक, जाखा: पोपरान, तहसील ग्रसंध जिला करनाल (हरियाणा)
- 23. पंजाब नेशनल बैंक, णाखा : रेलवे रोड, करनाल, जिला करनाल (हरियाणा)
- 24. पंजाब नेमनल बैंक, णाखा : चिड़ाबा, तहसील चिड़ाबा जिला : मुनझुन (राजस्थाम)
- 25. यूनियन बैंक श्राफ इंडिया राजभाषा विभाग केन्द्रीय कार्यालय मुम्बई

राजभाषा नियम 10(4) मे अधिसूचित संस्तृति-णाखाओं की मूची

अंचलीय कार्यालय, कलकत्ता

- लघु उद्योग शाखा
 श्री राम मदिर के पास बिस्ट्पुर, जममेदपुर
- 2 धनलक्ष्मी इंडस्ट्रियल इस्टेट, माजीवाडा,
 टाणे (प),
 पिन कोड-400001
- एस०६म० बी०घाटकोपर (पूर्व) शाखा खेलाग जोत नं०2, दिरासर लेन घाटकोपर (पूर्व), मुंबई-77
- 4. एस.एस.बी. मृल्डं शाखा 527, पाटील भूवन, नेताजी सुभाष रोड, मुल्डंड (पश्चिम) मुम्बई नं. 80
- 5. एस. एस. बी. ठाण (पूर्व) शाखा, किशोर नगर को. श्राप. हाऊसिंग सोसायटी, कोपरी कालोनी, बौथी राम गिडवानी मार्ग, ठाण (पूर्व)

- 6. एम.एस.बी. हिल रोड बांद्रा ए-2, गुलगेराबाद पर्लंट झानर्स नो-आप. हाऊसिंग सोमायटी, हिल रोड, बांद्रा (पश्चिम) मुम्बई नं. 50
- एस.एस.बी. भिवंडी
 74, साईकृपा मंडई रोड,
 प्रभु प्रली,
 भिवंडी-421302
 अंचलीय कार्यालय, दिल्ली
- 8. जे.एन. वी. नालोनी माखा, वी डो-166, जे. एन.वी. कालोनी, बीकानेर-313001 अंचलीय कार्यालय, दिल्ली
 - युनियन बैंक श्रापः इंडिया, जगराओ शाखा, 1030, एल.श्रार. कॉलेज रोड, जगराओ, जिला लुधियाना-142026
- 10. औद्योगिक वित्त शाखा, सी-32, खी.डी.ए. शापिंग, काम्प्लेक्स, डिफ्स कालोनी, नयी दिल्ली-110024
- 11. एस. एस. धाई. णाखा 29, कम्यूनिटी सेंटर, प्रणोक विहार, फ्रेज-1, दिल्ली -110052
- 12 एस.एस.बी. शाखा बी-3/1, माङल टाऊन, माल रोड, दिल्ली-110009
- 13 एस, एस.वी. शाखा
 21/3-4, श्ररविदो मार्ग,
 युसुफ सराय;
 नई दिल्ली-110016
- 14. एस. एस. वी. शाखा एफ. - 5, न्यू खन्ना मार्केट, लोधी कालोनी, नयी दिल्ली - 110003
- 15. विकासपृरी शाखा
 114, प्रथम मंजिल
 एल एस सी सी स्लाक
 विकासपृरी
 दिल्लो∼110058

- 1 6. यूनियन वैक आप. इंडिया वो. बा. ऋ. 160, गणेशवर यिल्डिंग, मराठा गली शाखा, हुबली- 580020 कर्नाटक राज्य
- 17. सेवा माखा 659--60, रविवार पेट, पो. बा. फ. 129, बेलगांव--590002 कर्नाटक राज्य
- 18. विशेषोङ्गत बचत बैंक 852, गणेण चौक तिलकवाडी बेलगांब-- 590006 कर्नाटक राज्य
- 19. विशेषीकृत बचत बैंक शाखा ल्यामिगटन रोड, ब्रुबंशी।
- 20. एम/६,एन/६ यजरंग चौक सिडदो औरंगाबाव-431003
- विक्षेषीकृत अचल बैक शाखा
 35, राजनगर
 आहोल रोड नागपुर
 नागपुर-440013
- 22. 1/2/13 महेण नगर जातिनगर नागपुर- 44 0008
- 23. विशेषीकृत बचत बैक शाखा कन्नमवार कमशियल काम्प्लेनस, उमरेख, जिला-नागपुर विन कोड न . - 441203
- 24. बचत विशिष्ट शाखा पोर्ड रोड, भिर्ज-416410
- 25. विशिष्ट बचत वैक शाखा सट्टी मस्जिद चौक, गाजीपुर-233001
- 26. दवनी शाखा ग्राभ व पोस्ट--वदनी, जिला--गाजीपुर-232336
- 27. पर्टीबारा-879534 (वया विनाला, केरल)

- कांबीर पृक्षा रोड पोट्टास्सेरी---878598 केरल।
- 29. व्यक्तिमत बैंकिंग साखा, सर्वे श्रापः इंडिट १ कैम्पस सर्जापुर रोड, कोरमंगला, बैंगस्र--- 560034
- 30 विद्यालय लो कॉलेज परिसर स्थित, गांधीनगर, (गर्यामेट हॉस्पीटल सर्केज). वी.एच.रोड, सुमक्टर-→572192
- एस.एस.बो. विजिनापुरा बाखा,
 नं. 1027 ओरड महास रोड,
 बंगल्र--560018
- 32 नं. 55/56, पहली मजिल, मागकी कार्ब रोड, विजयनगर, बैगलूर---560040
- उत्तमनगर जाखा,
 श्रमकूर रामकृष्ण बिल्डिंग,
 रामनगर--571511

राजभाषा नियम, 1976 के नियम 10 (4) के ग्रम्तर्गत ग्रिधसूचित की जाने वाली शाखाओं/कार्यालयों की सूची

अंचलीय कार्यालय, पुणे

- 34. विशेषीकृत बचत शाखाः, सोझा मन्सन्। 31 जनवरी मार्गः, कार्ति-दि-औतरो जंन्शन, पणजी, गोवा--403001
- 35. विक्षेषीकृत वसत काखा,
 3, वाँध रोडा गुरुवंगद को. आ. हाउ. सोसायटी, ऑध रोड, खाइकी,
 पूर्णे---411003
- क्वी. ए. वी. कालेज णाखा, श्रापं समाज रोड, मुजक्फरनगर--251001
- भारतीय थस्य जीवन संस्थान शाखा, चन्नवनी पो. आ.. देहराष्ट्रन--- 248001
- शतल बस्ती माखा,
 श्व, पा, ए. सी.,
 मंदावाबाव--- 244001

- 39. एस. एस. बी. नलबाजार शाखा. हरन भंजिल, 326-328, एस. बी. पी. रोड, मम्बई--400003
- 40 जी! ब्राइ. बी.सी. मोटिफाईड एरिया देहरी भाखा, 12,जी. ब्राई. डी. डी., नोटिफाइड एरिया उमरगांव, जिला--बलभाड, गुजरात पिन-- 396171
- 41 औधोगिक वित्त शाखा, श्रहमवाबाद, सी. यू० शाह चैम्बर्स, पोस्ट नवजीवन श्राश्रम रोड, श्रहमदाबाद, गुजरात--360014
- 42 एस. एस. बी. म्रहमदाबाद शाखा, एस. म्रार. मार्ग, गणेश चैम्बर्स, दर्पण भोस रोड, सेट जेवियर्स, स्कूल रोड, नवरंगपुरा, म्रहमदाबाद, गुजरात-- 380014
- 43. एस. एस. बी. बड़ौदा शाखा,, अलकापुरी, श्रार. सी. दश रोड, श्रलकापुरी बड़ौदा, गुजरात--- 390005
- 44. एस. एस बी. बड़ीदा माखा, निजामपुरा, 16, नवदूर्गी सोसायटी, नेशानल हायवे त्र ० 8, बड़ीदा, गुजरात--- 390002
- 45. एस. एस.बी. मेहसाणा शाखा, जनता सुपर मार्केट, मेहसाणा, गुजरात--384001
- 46. एस. एस. बी. सूरत शाखा, नानपुरा, 1/2037, नानपुरा, मेन रोड, नानपुरा, सूरत, गुजरात⊶ 395001
- 47 एस० एस० ग्राई० वित्त शाखा, श्रहमदाबाद, सी० यू० शाह चैंग्बर्स, पोस्ट नवजीवन, श्राश्रम रोड, श्रहमदाकाद, मुजरात-- 380014

- 48 एस. एस. श्राई. वित्त साखा, गायती कममिंयल काम्प्लेवस, वयनाथ पेट्रोल पंप के पास, गोंबल मार्ग, राजकोट, गजरात--360002
- 49. एस. एस. वी. श्रहमवाबाद गाखा, श्रसरथा, विधिन काम्पलेक्स, न्यू सिविल हास्पिटल रोड, श्रसारव, श्रहमदाबाद, गुजरास-→380016 ।
- 50. एस. एस. बी. सायन मान्ता, 201, बॉसरी भवन, सायन (पूर्व), मुबई---40022

भारतीय औद्योगिक निवेश वैक लि. (ब्राई ब्राई बी घाई)

 भारतीय औद्योगिक निवेश बैंक लिमिटेड, उत्तरी श्रांचलिक कार्यालय, "जीवन प्रकास", (10 वां तल)
 25, कस्प्रवा गांधी मार्ग, नई दिल्ली---110001

भारतीय औद्योगिक विकास वैक (भाई डी बी भाई)

 भारतीय आँग्रोगिक विकास बँक, मुम्बई शाखा कार्यालय, नरीमन भवन, 227, विनय के. शाह मार्ग, नरीमन पाईट, मुम्बई—-400021

New Delhi, the 19th September, 1997

S.O. 2479:—In Pursuance of Sub-rule (4) of Rule 10 of the Official Languages (Use for Official Purposes of the Union) Rules 1976 the Central Government hereby notifies the listed offices/branches of Hindi:—

S.No. Name of the banks

- State Bank of Saurashtra
 Punjab National Bank
- 3. Union Bank of India
- 4. Industrial Investment Bank of India
- 5. Industrial Development Bank of India

No. of Offices/Branches.

V.	Omeo,	25.60.10 [[00]
		49
		24
		50
		10
		01
To	otal	125

[F. No. 11016/4/97-Hindi] G.R. SUMMAN, Dv. SECY.

List of offices/branches to be notified under Rule 10(4) of O.L. Rules, 1996.

- 1. State Bank of Saurastra, Rajkot Zonal Office, Administrative Office, Swami Vivekanand Road, Ramkrishna Nagar, Post Box No. 7, Rajkot-360 002 (Gujarat)
- 2. Sidsar Branch
 Navapara, State Bank of Maharashtra,
 Sidsar (Gujarat) Pin-364 060
- 3. Amarnadh Branch, Shri K.J. Metha T.B. Hospital Compound. Amargadh-364 210 (Gujarat)

4. Thadach Branch
Taluka Palitana,
Thadach-364 140 (Guajrat)

- Koliyak Branch
 Near High School,
 Koliyak-360 070 (Distt. Bhavnagar)
- Mota Khuntwada Branch
 Taluka Mahuva,
 Distt. Bhavnagar-364 280 (Gujarat)
- Chamardi Branch
 Chamardi, Taluka Babra,
 Distt. Babra-364 410 (Guajarat)
- Dalkhania Branch
 Dalkhania, Taluka Dhari,
 Distt. Amreli (Gujarat)-364641.

- 9. Matirala Branch, Matirala, Taluka-Lathi, Pin-364 430 (Gujarat)
- Shakhpur Branch Taluka-Lathi, Shakhpur-364 220 (Gujarat)
- 11. Vavera Branch, Taluka-Rajula,
- 12. Va vera (Distt. Amreli) Pin-365 570 (Gujrat)
- Ghoghala Branch
 Vanakbara-362 570 (Gujarat)
 Vanakbara Branch
 Ghoghala-362 540 (Div)
- Govindpur Branch
 Govindpur-364 640,
 Distt. Amreli (Gujarat)
- 15. Khirasara Branch,Khirasara (Ghed),Tal. Kesnod,Distt. Junagadh-362 224 (Gujrat)
- Manavadar Branch
 Gandhi Chowk,
 Manavadar-362 630 (Gujarat)
- 17. Mangrol Branch Near Old Bus Stand, Mangrol, Distt. Junagadh (Gujarat-362 225)
- Morasa Branch,
 Morasa, Tal Veraval,
 Distt. Junagadh-362 275 (Gujarat)
- Prabhas-Patan Branch
 Arunoday,
 Near Somnath Temple, Prabhas-Patan
 Pin-362 268 (Gujrat)
- Sasan Gir Branch
 Tatuko Telala, Sasan Gir—362135
 (Gujarat)
- 21 Shapur Branch Opp. Gram Panchayat Office, Taluka Vanthali, Shapur-362 205 (Gujarat)
- 22. Sherbaug Gadu Branch Opp. Railway Gate, Sherbaug Gadu-362 255 (Gujarat)
- 23. Una (Main) Branch Station Road, Una (Gujrat)-362560.
- 24. Vanthali (Sorath) Branch Vanthali (Sorath) 362 610 (Gujarat)
- 25. Visavadar Branch, Bank Road.
 Visavadar-362 130 (Gujarat)

- Tankara Branch,
 Laxminarayan Street,
 Tankara (Ta. Morvi-Dist. Rajkot)
 Gujarat-363 650.
- 27. Jasdan Branch, Patel Street, Jasdan, 360 050 (Gujarat)
- 28. Ramod Branch, Ramod Taluka Kotada Sangani 360 311. (Gujarat)
- Bhayavadar Branch,
 Opp. Lohana Mahajan Wadi,
 Bazar Chowk, Bhayavadar-360 450
 (Gujarat)
- 30. Gandhidhan Branch,
 Plot No. 258, Sector No. 12/B,
 Gandhidham (Kutch)-370201 (Gujarat)
- Kotda Sangani Branch,
 Darbar-gadh Bazar,
 Kotada Sangani-360 030 (Gujarat)
- Chotila Branch,
 Station Road,
 Chotila-363 520 (Gujarat).
- Kalavad Branch,
 Lioda Chowk,
 Kalavad (Shitla)-361 160 (Gujarat)
- 34. Khambhalia (Main) Branch, Gandhi Chowk, Khambhalia-361 305 (Gujarat)
- 35. Bhatia Branch,
 Bhatia, (Distt. Jamnagat)-361 315
 (Gujarat).
- 36. Muli Branch, Bindipa, Muli, Distt. Surendranagar 363 510 (Gujarat).
- 37. Jamvali Branch, Jamvali, Distt. Jamnagar-361160 (Gujarat).
- 38. Jamjodhpur (Main) Branch, Station Road, Gandhi Chowk, Jamjodhpur-369 530 (Gujarat).
- Ankleshwar Branch,
 Ravi Complex, Near New Bus Stand,
 GIDC Industrial Estate,
 Ankleshwar-393 001 (Gujarat).
- Anand Branch,
 Opp. Sardarganj, P. B. No. 1
 Anand-388 001 (Gujarat).
- 41. Chhatral Branch, Industrial Estate, Plot No. 607, GIDC, Chhatral-382 729 (Gujarat).

- Kalol Branch,
 Staticn train Road, Kalol (North Gujarat)
 Pin-382 721
- Khambhat Branch,
 Parckh Shopping Centre,
 Tin Bhatti, Station Road,
 Khambhat-388 620 (Gujarat).
- Mumbai (Mandvi) Branch,
 339/341, Royal Chambers,
 Samuel Street, Wadgadi,
 Mandvi Branch, Mumbai-400
- Surat (Ring Road) Branch,
 Ring Road, Swami Baug.,
 Opp. Fire Bridge Station,
 Surat-395 002 (Gujarat)
- 46. Sanand Branch, Hari-Krishna Complex, Opp. S. T. Stand, Sanand-382110 (Guj.)
- 47. Ahmedabad (Usmanpur) Branch, Ajanta Commercial Centre, Ashram Road, Usmanpur, Ahmedabad-380 009 (Gujarat).
- 48. Visnagar Branch,
 Shreeji Market, Near Bus Stand,
 College Road, Visnagar-384 315,
 (Gujarat).
- New Delhi (Sidgdharth Ext) Branch,
 Bhagwan Nagar,
 Opp. Jivan Nursing Home,
 New Delhi-110014.

List of Offices/branches to be notified under Rule 10(4) of O. L. Rules, 1976

- 1. Punjab National Bank Branch Office Sector 8, Chandigath Chandigath
- Punjab National Bank Branch Office, Sector-27, Chandigarh
- Punjab National Bank Branch Office, AGR Finance Branch Chandigarh.
- 4. Punjab National Bank Branch Office, Sector-4, Panchkula Haryana.
- Punjab National Bank, Branch Office, Sector-12, Panchkula Distt. Ambala, Haryana.

- Punjab National Bank, Branch Office, DAV Colloge, Ambala City Haryana.
- Punjab National Bank.
 Branch Office,
 Meera Chowk, Shriganga-Nagar,
 Distt. Shri-Ganganagar,
 Rajasthan.
- 8. Punjab National Bank, Branch Office, Lakhisarai, Distt. Lakhisarai, Bihar.
- Punjab National Bank, BO Se ctor 13, Urban Estate, Karnal, (Haryana).
- Punjab National Bank,
 BO Nilokheri,
 Distt. Karnal (Haryana).
- Punjab National Bank,
 BO Gheer,
 Distt. Karnal (Haryana).
- Punjab National Bank,
 BO Jundla
 Distt. Karnal (Haryana).
- Punjab National Bank, BO Kunjpura, Distt. Karnal (Haryana).
- Punjab National Bank
 BO Padha,
 Distt. Karnal (Haryana).
- Punjab National Bank,
 BO Tehsil Camp, Panipat,
 Distt. Panipat, (Haryana).
- Punjab National Bank,
 BO Jatal Road, Panipat,
 Distt. Panipat (Haryana).
- 17. Punjab National Bank, BO: Mandi, Distt. Panipat, (Haryana).
- Pinjab National Bank,
 BO Sujan Singh Park, Sonipat,
 Distt. Sonipat (Haryana).
- Punjab National Bank,
 Lead Bank Office,
 Palika Bazar, Panipat
 Distt. Panipat (Haryan).a

- 20. Punjab National Bank Special SSI Branch, Kundli Distt. Sonipat (Haryana).
- 21. Punjab National Bank Special SSI Branch Namestey Chowk, Karnal Distt. Karnal (Haryana).
- 22. Punjab National Bank, BO Poparan, Tehsil Assandh Distt. Karnal (Haryana).
- Punjab National Bank,
 BO Railway Road, Karnal Distt. Karnal (Haryana).
- 24. Punjab National Bank,BO Chirawa,Tehsil ChiarwaDistt. Jhunjhun Rajasthan.
- Union Bank of India,
 Deptt. of Official Language
 Central Office,
 Mumbai.

To be notified under Rule 10 (4) of O.L. Rules, 1996.

Zonal Officer, Calcutta

- S.S.I Branch, Near Sri Ram Mandir, Bistupur, Jamsedpur.
- Dhanlakshmi Industrial, Estate, Maziwada, Thane (W)
 Pin Code -400 601.
- 3. S.S.B. Ghatkopar,
 (East) Branch,
 Kailash Jot No. 2,
 Dirasar Lane, Ghatkopar.
 (East) Mumbai-77.
- 4. S.S.B. Mulund Branch. 527, Patil Bhuvan, Netaji Subhash Road, Mumbai (West), Mumbai No. 80.
- 5. S.S.B. Thane (East) B,
 Kishore Nagar Co-operative
 Housing Society,
 Copari Colony, 4-th Ram
 Gidvani Marg,
 Thane (East).

- 6. S.S.B. Hill Road Bandra, A-2. Gulsherbad Flat, Honours Co-operative Housing Society Hill, Road, Bandra (West), Mumbai No. 50.
- S.S.B. Bhivandi,
 74, Saikripa Madpai Road,
 Prabhu Ali,
 Bhivandi-421 302.
- 8. J.N.V. Colony Branch, V.D. 166, J.N.V. Colony, Bikaner-313001.
- Union Bank of India, Jagrach Branch,
 1030 L.R. Colloge Road, Jagrach,
 Distt. Ludhiana-142 026.
- Industrial Finance Branch, C-32 D.D.A. Shopping Centro Defence Colony, New Delhi-110 024,
- S.S.I. Branch,
 Community Centre,
 Ashok Vihar Phase,I,
 Delhi-110052
- S.o.B. Branch
 B-3/1, Model Town,
 Mal Road,
 Delhi-110 009.
- 13. S.S.B. Branch, 21/3-4, Arvindo Marg, Yusuf Sarai, New Delhi-110 016.
- S.S.B. Branch,
 F-5, New Khanna Market,
 Lodhi Colony,
 New Delhi-110003.
- 15. Vikaspuri Branch 114, First Floor, L.S.C., C-Block, Vikaspuri, Delhi-110 058

- 16. Union Bank of India, Post Box No. 160, Ganeshwa r Building, Maratha Galli Branch, Habali-580 020 Karnataka.
- 17. Service Branch, 659-60, Ravivar Peth, Post Box No. 109, Belgaon-590 002, Karnataka.
- S.S.B. Branch,
 852, Ganesh Chowk.
 Tilakwadi, Belgaon-590006,
 Karnataka.
- 19. S.S.B. Branch Lamington Road, Hubli.
- 20. M/6, N/6, Bajrang Chowk, Cidco, Aurangabad-431 003.
- Specialised Savings.
 Bank Branch,
 Rajnagar,
 Katol Road, Nagpur,
 Nagpur-440 013.
- 22. 1/2/13 Mahesh Nagar, Shantinagar, Nagpur-440 008.Specialised Savings,
- 23. Bank Branch, Kannamwar Commercial, Complex Umred, Dist, Nagpur, Pin Code-441 203.
- 24. S.S.B. Branch, Fort Road, Miraj-416 410.
- S.S.B. Branch,
 Satti Masjid Chowk,
 Ghazipur-233 001.
- 26. Dhadhani Branch, At & P.O. Dhadhani, Dist. Ghazipur-232 336.
- 27. Pattithara-679 534, (Via Thrithala), Kerala.
- 28. Kanhirapuzha Road, Pottasseri-678 598. Kerala.
- Personal Banking Branch, Survey of India Campus, Sarjapur Road, Koramangala, Bangalore-560 034.
- At Vidyalaya Law College, Premises, Gandhinagar, (Govt. Hospital Circle).
 B.H₄ foad, Tr mkur-572 102.

- 31. S.S.B. Vijanapura Branch, No. 1027, Old Madras Road, Bangalore-560 016.
- 32. No. 55-56, Ist Floor, Magadi Chord Road, Vijayanagar, Bangalore-560 0040.
- Ramnagar Branch,
 Akkur Ramakrishna Bldg..
 Ramnagar-571 511.

Specialised Saving Bank Branch Souza Mansion,

- 34. 31st January Road, Corte-de-Oitero Junction, Panji-Goa 403 001.
- 35. Specialised Saving Bank Branch 3 Aundh Road, Guruangad Co-op Hsg. Society, Aundh Road, Khadki, Pune-411 003.
- D.A.V. College Branch, Arya Samaj Road, Muzaffarnagar-251 001.
- 37. Wild Life Institute of India Branch Chandrabani P.O., Dehradun-248 001.
- 38. Peetal Basti Branch, 23, P.A.C., Kanth Road, Moradabad-244 001.
- 39, S.S.B. Nalbazar Branch, Harun Manzil, 326-328, S.V.P. Road, Mumbai-400 003.
- 40. G.I.D.C. Notified
 Area Dehri Branch,
 42 G.I.D.C.,
 Notified Area Umargaon,
 Distt. Valsad,
 Gujarat-396 171.
- Industrial Finance Branch, Ahmedabad,
 C.U. Shah Chambers,
 Post Navjeevan,
 Ashram Road, Ahmedabad,
 Gujrat-380 014.
- 4?. S.S.B. Ahmedabad Branch
 S.R. Marg,
 Ganesh Chambers, Darpan Cross Road,
 St. Xaviers School Road.
 Navrangpura, Ahmedabad,
 Gujrat 380 014.

- 43. S.S.B. Baroda Branch, Alkapuri, R.C. Dutt Road, Alkapuri, Baroda. Gujrat-390 005.
- 44. S.S.B. Baroda Branch.Nizampura.16, Navdurga Society,National Highway No. 8,Baroda, Gujrat-390 002.
- 45. S.S.B. Mehsana Branch, Janta Super Market, Mehsana, Gujrat-384 001.
- S.S.B. Surat Branch, Nanpura, 1/2037, Nanpura, Main Road, Nanpura, Surat, Guirat-395 001.
- S.S.I., Finance Branch, Ahmedabad,
 C.U. Shah Chambers,
 Post Navjeevan,
 Ashram Road, Ahmedabad,
 Guirat-380 014.
- 48. S.S.I. Finance Branch,
 Rajkot,
 Gayatri Commercial Complex,
 Near Jainath Petrol Pump,
 Gondal Road,
 Rajkot, Gujrat-360 002.
- S.S.B. Ahmedabad Branch, Asharwa,
 Bipin Complex, New Civil Hospital Road, Aswarwa, Ahmedabad, Gujrat-380 016.
- S.S.B. Sion Branch,
 Bansari Bhavan,
 Bion (East),
 Mumbai-400-022.

IIBI

Industrial Investment Bank of India Ltd., Northern Zonal Office,

 Jeevan Prakash (10th Floor).
 Kasturba Gandhi Marg, New Delhi-110 001.

IDBI

Industrial Development Bank of India, Mumbai Branch Office.

Nariman Bhavan,
 227, Vinay K. Sah Marg,
 Nariman Point,
 Mumbai-400 021.

नई दिल्ली, 22 सितम्बर, 1997

का०ग्रा० 2480.—इस प्रभाग की 14 नवम्बर, 1996 की ग्रिधिसूचना सं० एफ० 15/6/91-प्राई० ग्रार० के प्रनुसरण में, केन्द्र सरकार, एतद्द्वारा, श्री णंकरेण्वर दत्त, प्रधान लिपिक, भारतीय स्टेट वैंक की निदेशक के रूप में भारतीय स्टेट वैंक की निदेशक के रूप में भारतीय स्टेट वैंक के निदेशक के ग्रविश्व को, उक्त ग्रिधिसूचना में दी गई णतौं पर दिनांक 28-2-1998, श्रर्थात् ग्रिधिवर्षिता की ग्रायु प्राप्त करने पर उनकी सेवानिवृत्ति की तारीख तक बढ़ाती है।

[फा॰ सं॰ 15/6/91 आई॰ आर॰] सी॰बी॰ प्रसाद, श्रवर सचिव

New Delhi, the 22nd September, 1997

S. O. 2480.—In continuation of this Division's notification No. F. 15|6|91-IR dated 14th November. 1996. the Central Government hereby extends the term of appointment of Shri Shankareshwar Datta, Head Clerk, State Bank of India as a Director on the Central Board of State Bank of India upto 28-2-1998, i.e., till his date of retirement on attaining the age of superannuation on the same terms and conditions as contained therein.

[F. No. 15|6|91-IR] C. B. PRASAD, Under Secy.

विदेश मंद्रालय

नई दिल्ली, 17 सितम्बर, 1997

मारुआर 2481-- राजनियक वांसती श्रिष्ठकारी (श्रप्थ एवम् णुल्क) श्रिष्ठित्यम 1948 (1948 का 41वां) सी धारा 2 के अंक (क) के श्रनुसरण में केन्द्रीय सरकार एतव्दारा भारत का राजधूतावाम बुरवीनाफासी में निश्री महायक श्री ६म० वेनू मेपाल वो 15 सितम्बर, 1997 से सहायक वींसली श्रिष्ठकारी वा वार्ष करने के लिए, श्रीष्ठकत करती है।

[21-4330/2/96)]

वी॰ महालिशंम, श्रवर सचिव (पी.दी, एस.)

MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 17th September, 1997

S. O. 2481.—In pursuance of Clause (a) of the Section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948), the Central Government hereby authorises Shri M. Venugopal, PA in the Embassy of India Burkina Faso to perform the duties of Asstt. Consular Officer with effect from 15th September, 1997.

[T-4330|2|96]

V. MAHALINGAM, Under Secy. (Consular)

नई विल्ली, 17 सितम्बर, 1997

का०श्रा० 2482.—-राजनियक बोसली श्रिष्ठकारी (श्राप्य एवम् पूरुक) अधिनियम 1948 (1948 का 41वां) वी धारा 2 के अंक (क) के अनुसरण में थेन्त्रीय सरकार एत्रवृक्षारा भारत का राज दूनावास वर्न में सहायक श्री खो० खी० स्यागी वो 15 सितम्बर, 1996 से सहायक श्रीसली श्रीष्ठ-कारी का कार्य करने के लिए प्राधिकृत करती है।

[दी-4330/2/96]

बी महालिगम, अवर सचिव (वी.वी.एस.)

New Delhi, the 17th September, 1997

S. O. 2482.—In pursuance of the Clause (a) of the Section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948), the Central Government hereby authorises Shri O. D. Tyagi, Assistant in the Embassy of India Berne to perform the duties of Asstt. Consular Officer with effect from 15th September, 1997.

[T-4330|2|96]

V. MAHALINGAM, Under Secy. (Consular)

वाणिज्य संज्ञालय

विदेश व्यापार महानिदेशालय

नई दिल्ली, 18 सितम्बर, 1997

का०आ० 2483. — मै०कायरा कैन कम्पनी लि० टाईमिफॉन हाउस ड० ई मोसेज रोड, मुम्बई-400011 को लाईनिय कम्पाउन्ड के 15 भी० टन के आयात के लिए 19,38,050/- रू० (उन्नीस लाख अड़तीस हजार और पचास रूपये) के लिए एक आयात नाईसेंस सं० पी/ए/2446561 दिनांक 13-9-96 मंजूर किया गया था।

फर्म ने अब इस आधार पर कि लाइसेंस की मूल सीमा-गुरुक प्रयोजन प्रांत खो गई हैं/अस्थानस्थ हो गई है, उक्त लाइसेंस की सीमाणुल्क प्रयोजन प्रति की दूसरी प्रति जारी करने के लिए आवेदन किया है। आगे यह भी बताया गया है कि लाइसेंस की सीमाणुल्क प्रयोजन की प्रति को सीमा-गुल्क प्राधिकारी न बम्बई से पंजीकृत कराया गया था और सीमाणुल्क प्रयोजन प्रति के मूल्य का अणतः प्रयोग किया गया है। अपने दावे के समर्थन में, लाइसेंसधारी ने 4-6-97 को नोटरी पब्लिक के समक्ष विधिवत सपथ लेकर स्टाण पेपरे पर हलफनामा दापर किया है। गैं० तदनुसार संपुष्ट हं कि आयात लाइसेंस सं० पी/ए/2446561, दिनांक 13-9-96 की मूल सीमाशुल्क प्रयोजन प्रति फर्म ब्रारा खाँ गई है / अस्थानस्थ हो गई है। विदेश व्यापार महानिदेशक, नई दिल्ली द्वारा सां०आ० 1060(अ) दिनांक 31-12-93 के तहल प्रदक्ष शिवल्थों का प्रयोग करते हुए मैसर्स कायरा कैन कम्पनी लि० को जारी सीमाशुल्क प्रयोजन प्रति मं० पी/ए 2446561, दिनांक 13-9-96 को एतद्वारा निरम्त किया जाता है।

3. लाइसेंस की सीमामुल्क प्रयोजन प्रति की प्रतिनिर्णय 11,14,084/- रूपये मृत्य के लिए पार्टी को अलग से जारी की जा रही है।

[फा० सं० एस पी एल/ 573/ए एम 97/ एस एल एम/ 467] सोहन चन्द विदेश व्यापार विकास अधिकारी

MINISTRY OF COMMERCE DIRECTORATE GENERAL OF FOREIGN TRADE

New Delhi, the 18th September, 1997

S. O. 2483.—M|s. Kaira Can Company Ltd. Tiecioon House Road, Mumbai-400011 were granted an import licence No. P|A|244656|dt. 13-9-96 for Rs. 19,38,050|- (Rupees Nineteen Lakhs Thirty Eight Thousand and Fitty only) for import of 15 MT of Lining Compound.

The firm has applied for issue of Duplicate copy of Custom purposes copy of the above mentioned licence on the ground that the original Customs Purposes copy of the licence has been lost or misplaced. It has further been stated that the Customs purpose copy of the licence was registered with Customs Authority, Bombay and as such the value of Customs purpose copy has been utilised partly.

- 2. In support of their contention, the licensee has filed an affidavit on stamped paper duly sworn in before a Notary Public on 4-6-97. I am accordingly saisfied that the original Customs purposes copy of import licence No. PIA|2446561 dated 13-9-96 has been lost or misplaced by the firm. In excercise of the powers conferred on me under order S.O. 1060(E) dt. 31-12-93 issued by DGFT, New Delhi, Custom purposes copy No. PIA|2446561 dt. 13-9-96 issued to Mis. Kaira Can Company Ltd., is hereby cancelled.
- 3. Duplicate Customs purposes copy of the said licence is being issued to the party separately for a value of Rs. 11,14,084.

[F. No. SPL|573|AM.97|SLS|467] SOHAN CHAND, Foreign Trade Dept. Officer.

3) ((3)	(1) (2)	वितरण मंत्रालय	े और सार्वजनिक (।ानक व्यूपो	न।गरिक पूर्ति, उपभोक्ता भामले भारतीय म
) संशोधन सं. 1 जून 1997	19. ब्राई एस 2771 (भाग 1) : 1990		मनम्बर, 1997	नई विल्ली, 15 कि
मं० 2 97-07-	सशोधन सं० 2 जुलाई 1997	20. आई एन 2932: 1093		ष्ठ "ख" के श्रनुभरः	का. था. 2484 :भारतीय के नियम 7 के उपनिधम (i) के खं
	मंगोधन सं. 2 जून 1997	21. प्राई एन 5083: 1988	नाच ।बय गए	करता है कि न है/किये गये हैं।	भानक (को) में संशोधन किया गया
	संशोधन मं . 1 जुलाई 1997	22 याई एस 6714: 1989			ग्रनुसूची
7	संशोधन सं . 1 जून 1997		संगोधन लागूहोने की तारीख	यंगोधन की संख्या और तिथि	क्रम संपोधित भारतीय मानक की संख्या संख्या और वर्ष
	मंशोधन सं. 1 जुलाई 1997	24 थाई एस 7874 (भाग 3) 1975			
	संशोधन सं. । जुलाई 1997	25. बाई एस 8183: 1993	(4)	(3)	(1) (2)
Ť. 3 94-11-3	गुजार 1997 संशोधन सं. 3 नवम्बर 1994	26. ब्राई एस 930 t - 1990	89-03-31 97-08-31	संशाधन स. 1 मार्च 1989 नंशोधन नं. 1	 एस पी: 34 (एस एवं टी): 1987 माई एस 101 (भाग 3/अनु, 1):
i. 4 96-05-3	मंशोधन मं . 4 मई 1996	27. घाई एस 9301: 1990	97-08-31	संगोधन मं. । संगोधन मं. ।	2. आहे एस 101 (भाग 3/अनु, 1) : 1986 3. माई एस 101 (भाग 3/अनु, 4) :
. 3 97-08-3	संशोधन सं. 3 भगस्त 1997	28. श्राई एस 10672: 1983	97-06-30	संगावन न . । जून 1997 संगोधन सं . 2	3. आई एस 101 (भाग 5, अनु. 4) - 1987 4. घाई एस 101 (भाग 6/भनु. 1) :
. 1 96-06-3	मंगोधन सं. 1 जून 1997	29- आई एस 10864: 1984		जून 1997 मंशोधन म. 1	1988
f. 1 97-06-5	संगोधन सं. 1	30. श्रार्द एस 10908: 1991	97-06-30	जून 1997	5. श्राई एस 101 (भाग 7/भन, 2) 1988
. 3 97-06-8	जून 1997 संशोधन सं. 3	31. प्रार्द एस 11584: 1986	97-06-30	जून 1997	6. म्राई एस 101 (भाग 7/श्रनु. 3): 1990
. 3 97-06-3	जून 1997 संशोधन सं. 3	32. श्राई एस 12016: 1987	97-06-30	संगोधन सं. 3 जून 1997	7. ब्राई एस 123: 1962
. 1 97-07-3	जून 1997 संशोधन सं. 1	33. श्रा ई एस 12021: 1987	97-07-31	संशोधन स. जुलाई 1997	a. ब्राई एस 133: 1993
i. 3 - 97-05-3	जुलाई 1997 संशोधन सं. 3 सई 1997	4- प्राई एस 12076: 1986	97-06-30	सफोधन सं. 3 जून 1997	9. आई एस 163; 1978
. 1 97-06-3	संगोधन सं. 1	5. भाई एस 12395: 1988	97-07-31	संशोधन सं. 6 जुलाई 1997	10. श्राई एस 302-2-3 (1992)
. 1 97-05-3	जून 1997 संगोधन सं. 1 मई 1997	s. सार्थ एम 12620:1989	97-05-31	मंशोधनसं. 1 मई 1997,	1. पार्ट एस 512: 1988
. 1 97-01-3	संशोधन सं. 1 जनवरी 1997	 प्राई एस 12699: 1989 	97-05-31	षणोधन प्रं मई 1997	.2. चार्ड १४४ ७६१: 1988
1 97-07-3	संशोधन मं. 1		96-06-30	सशोधन मं. 1 जून 1996 मंगोधन मं. 1	
. 1 97807-3	जुलाई 1997 संगोधन सं. 1	9. प्रार्ह एस 12887: 1989	97-05-31	मशाधन स . । मई 1997 संशोधन सं . 5	4. आई एस 1577 : 1989
	जुलाई 1997 मणोधन पं. 1		97-06-30	मून 1097	5. भाई एस 1729 : 1979
	ग्रगस्त 1997 मंगोधन सं , 1		97-06-30	निशाधानिनां० 1 जून 1997	6. आई एस ₂ 074 : 1992
97	धगम्त 1997		97-97-31	मंशोधन म. 1 जुलाई 1997	7. म्राई एस 2086: 1993
	संगोधन मं. 3 जून 1997	=	97-06-30	सकोशन में. 4 जून 1997	8 माई एस 2414: 1991

[PART	Ħ.	—Sec.	31	(ii)]
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1)	(2)	(3)	(5)	(1)	(2)	(3)	(4)
3. माई एस	T 13019: 1991	संगोधन सं . 3 मई 1997	97-05-31	10.	IS 302-2-3 (1992)	Amendment No. 6 July 1997	97-07-31
	स 13947 (भाग 4/ ब न्	[. 1) मंशोधन सं. 1	97-06-30	11.	IS 512:1988	Amendment No. 1 May 1997	97-05- 31
1993 5. भाई एर	स 14268: 1995	जून 1997 संशोधन सं. 1	97-06-30	12.	IS 761:1988	Amendment No. 1 May 1997	97-05-31
		जून 1997	07.00.01	13.	IS 1159: 1981	Amendment No. 1 June 1996	96-06-3
16. મા ર પ	ग्स 14355: 1996	संभोधन सं . । भ्रगस्त 1997	97-08-31	14.	IS 1577:1989	Amendment No. 1 May 1997	97-05-3
		गारतीय मानक ब्यूरो,		15.	IS 1729: 1979	Amendment No. 5 June 1997	97-06-3
र्व विल्ला,	कलकसा, चर्ण्डागढ़,	रल्ली-110002 और दे मद्रास, और मुम्ब	ई और गाखा	16.	IS 2074:1992	Amendment No. 1 June 1997	97-06-3
ाजियामार,	गुवाहाटी, हैवराबाद,	पाल, भुवनेश्वर, कोयम्ब , अयपुर, कानपुर,	लखनऊ, पटना,	17.	IS 2086: 1993	Amendment No. 1 July 1997	97-07-3
ना, नागपु	< तथा ।अध्यनन्तापुरम	-	प्रवि. 13:5]	18.	. 1S 2414 : 1991	Amendment No. 4 June 1997	97-06-3
М	INISTRY OF C	qı. एस. १ CIVIL SUPPLIES	वास, महामिवे शक	19.	. IS 2771 (Part 1): 199	O Amendment No. 1 June 1997	97-06-3
CONSU		& PUBLIC DIST INDIAN STANDA		20.	IS 2932:1993	Amendment No. 2 July 1997	97-07-3
		5th September, 199 of clause (b) of		21.	IS 5083:1988	Amendment No. 2 June 1997	97-06-3
			Duo ruio (1)				
of Rule (1 1987, th	1) of Rule 7 of the Indian	Bureau of Indian Sta n Standards hereby	notifies that	22.	IS 6714 : 1989	Amendment No. 1 July 1997	97-07-3
of Rule (1 1987, th amendme (s/are giv	1) of Rule 7 of the Indian ent(s) to the Indian ren in the Schedule	Bureau of Indian Sta	notifies that lars of which		IS 6714 : 1989		
of Rule (1 1987, th amendme	1) of Rule 7 of the Indian ent(s) to the Indian ren in the Schedule	Bureau of Indian Standards hereby Standard(s), particu hereto annexed, h	notifies that lars of which	23.	-	July 1997 Amendment No. 1 June 1997.	97-06-3
of Rule (1987, the amendme is/are gives issued :	1) of Rule 7 of the Ine Bureau of Indian ent(s) to the Indian en in the Schedule SCHED o. and Year of the	Bureau of Indian Standards hereby Standard(s), particu hereto annexed, h	notifies that lars of which as/have been	23. 24.	IS 7151 : 1991	July 1997 Amendment No. 1 June 1997. 5 Amendment No. 1	97-06-3 97-07-3
of Rule () 1987, th amendme is/are giv issued : SI. No. In	1) of Rule 7 of the Ine Bureau of Indianent(s) to the Indianen in the Schedule	Bureau of Indian Standards hereby Standard(s), particu hereto annexed, h	notifies that lars of which as/have been Date from which the amendment	23. 24. 25.	IS 7151 : 1991 IS 7874 (Part 3) : 197	July 1997 Amendment No. 1 June 1997. Amendment No. 1 July 1997 Amendment No. 1	97-07-3 97-06-3 97-07-3 97-07-3 94-11-3
of Rule () 1987, the amendment is are given issued: SI. No. In an	1) of Rule 7 of the Inc Bureau of Indian cent(s) to the Indian cen in the Schedule SCHED o. and Year of the idian Standard(s) mended	Bureau of Indian Standards hereby Standard(s), particu hereto annexed, hereby DULE No. and Year of the amendment	notifies that lars of which as/have been Date from which the amendment shall have effect	23. 24. 25. 26.	IS 7151: 1991 IS 7874 (Part 3): 197 IS 8183: 1993	July 1997 Amendment No. 1 June 1997. 5 Amendment No. 1 July 1997 Amendment No. 1 July 1997 Amendment No. 3	97-06-3 97-07-3 97-07-3
of Rule (1987, the amendments) are given issued: SI. No. In an (1)	1) of Rule 7 of the Indianant(s) to the Indianant on the Schedule SCHED o. and Year of the Indian Standard(s) mended	Sureau of Indian Standards hereby Standard(s), particulated hereto annexed, hereto annexed (3) Amendment No. 1	Date from which the amendment shall have effect	23. 24. 25. 26.	IS 7151:1991 IS 7874 (Part 3):197 IS 8183:1993 IS 9301:1990	July 1997 Amendment No. 1 June 1997. 5 Amendment No. 1 July 1997 Amendment No. 1 July 1997 Amendment No. 3 November 1994 Amendment No. 4	97-06-3 97-07-3 97-07-3 94-11-3
of Rule (1987, the amendment is are given issued : SI. No. In an (1) 1. SP:	1) of Rule 7 of the Inc Bureau of Indian ent(s) to the Indian en in the Schedule SCHED o. and Year of the Indian Standard(s) mended (2) 34 (S & T): 1987	Sureau of Indian Standards hereby Standard(s), particular hereto annexed, hereby Standard(s), particular hereto annexed, hereto annexed (3) Amendment No. 1 March 1989 Amendment No. 1	Date from which the amendment shall have effect	23. 24. 25. 26. 27.	IS 7151:1991 IS 7874 (Part 3):197 IS 8183:1993 IS 9301:1990 IS 9301:1990	July 1997 Amendment No. 1 June 1997. Amendment No. 1 July 1997 Amendment No. 1 July 1997 Amendment No. 3 November 1994 Amendment No. 4 May 1996 Amendment No. 3	97-06-3 97-07-3 97-07-3 94-11-3 96-05-3
of Rule (1987, the amendment is fare given is sued : SI. No. In an (1) 1. SP: 2. IS 1 19 3. IS 1	1) of Rule 7 of the Inc Bureau of Indian tent(s) to the Indian ten in the Schedule SCHED O. and Year of the Indian Standard(s) mended (2) 101 (Part 3/Sec 1): 986 101 (Part 3/Sec 4):	Sureau of Indian Standards hereby Standard(s), particulation hereto annexed, in the sure of the amendment (3) Amendment No. 1 August 1997 Amendment No. 1	Date from which the amendment shall have effect (4) 89-03-31	23. 24. 25. 26. 27. 28.	IS 7151:1991 IS 7874 (Part 3):197 IS 8183:1993 IS 9301:1990 IS 9301:1990 IS 10672:1983	July 1997 Amendment No. 1 June 1997. Amendment No. 1 July 1997 Amendment No. 1 July 1997 Amendment No. 3 November 1994 Amendment No. 4 May 1996 Amendment No. 3 August 1997 Amendment No. 1	97-06-2 97-07-2 97-07-2 94-11-2 96-05-2 97-08-2
of Rule (1987, the amendment is/are given issued : SI. No. In an (1) 1. SP: 2. IS [19	1) of Rule 7 of the Inc Bureau of Indian tent(s) to the Indian ten in the Schedule SCHED O. and Year of the Indian Standard(s) mended (2) 24 (S & T): 1987 201 (Part 3/Sec 1): 986 201 (Part 3/Sec 4): 987 201 (Part 6/Sec 1):	Sureau of Indian Standards hereby Standard(s), particular hereto annexed, hereby OULE No. and Year of the amendment (3) Amendment No. 1 August 1997 Amendment No. 1 June 1997 Amendment No. 2	Date from which the amendment shall have effect (4) 89-03-31	23. 24. 25. 26. 27. 28. 29.	IS 7151: 1991 IS 7874 (Part 3): 197 IS 8183: 1993 IS 9301: 1990 IS 9301: 1990 IS 10672: 1983 IS 10864: 1984	July 1997 Amendment No. 1 June 1997. Amendment No. 1 July 1997 Amendment No. 1 July 1997 Amendment No. 3 November 1994 Amendment No. 4 May 1996 Amendment No. 3 August 1997 Amendment No. 1 June 1997 Amendment No. 1	97-06-3 97-07-3 97-07-3 94-11-3 96-05-3 97-08-3
of Rule () 1987, the amendment is are given issued: SI. No. In an (1) 1. SP: 2. IS 1 1. IS 1 4. IS 1 5. IS 1	1) of Rule 7 of the Indianal Section of the Bureau of Indianal Section in the Schedule SCHED on and Year of the Indianal Standard (s) mended (2): 101 (Part 3/Sec 1): 1986 (101 (Part 3/Sec 4): 1987 (101 (Part 3/Sec 4): 1988 (101 (Part 7/Sec 2):	Sureau of Indian Standards hereby Standard(s), particular hereto annexed, hereby Standard(s), particular hereto annexed, hereby Standard(s), particular hereto annexed, hereto annexed, hereto annexed, hereto annexed, hereto annexed, hereto annexed, hereto annexed (3) Amendment No. 1 Amendment No. 1 August 1997 Amendment No. 2 June 1997 Amendment No. 1	Date from which the amendment shall have effect (4) 89-03-31 97-06-30 97-06-30	23. 24. 25. 26. 27. 28. 29. 30	IS 7151: 1991 IS 7874 (Part 3): 197 IS 8183: 1993 IS 9301: 1990 IS 9301: 1990 IS 10672: 1983 IS 10864: 1984 IS 10908: 1991	July 1997 Amendment No. 1 June 1997. Amendment No. 1 July 1997 Amendment No. 1 July 1997 Amendment No. 3 November 1994 Amendment No. 4 May 1996 Amendment No. 3 August 1997 Amendment No. 1 June 1997 Amendment No. 1 June 1997 Amendment No. 1 June 1997 Amendment No. 3	97-06-3 97-07-3 97-07-3 94-11-3 96-05-3 97-06-3 97-06-3
of Rule (1987, the amendment is are given is sued : SI. No. In Amendment is are given is sued : (1) 1. SP: 2. IS 1 19 3. IS 1 19 4. IS 1 11 5. IS 11 6. IS 1	1) of Rule 7 of the Ine Bureau of Indian tent(s) to the Indian ten in the Schedule SCHED O. and Year of the Indian Standard(s) to the Indian Stand	Gureau of Indian Standards hereby Standard(s), particular hereto annexed, hereby Standard(s), particular hereto annexed, hereto annexed (3) Amendment No. 1 August 1997 Amendment No. 1 June 1997 Amendment No. 1 June 1997 Amendment No. 1 June 1997 Amendment No. 1	Date from which the amendment shall have effect (4) 89-03-31 97-06-30 97-06-30	23. 24. 25. 26. 27. 28. 29. 30 31	IS 7151: 1991 IS 7874 (Part 3): 197 IS 8183: 1993 IS 9301: 1990 IS 9301: 1990 IS 10672: 1983 IS 10864: 1984 IS 10908: 1991 IS 11584: 1986	July 1997 Amendment No. 1 June 1997. 5 Amendment No. 1 July 1997 Amendment No. 1 July 1997 Amendment No. 3 November 1994 Amendment No. 4 May 1996 Amendment No. 3 August 1997 Amendment No. 1 June 1997 Amendment No. 1 June 1997 Amendment No. 3 June 1997	97-06-3 97-07-3 97-07-3 94-11-3 96-05-3 97-06-3 97-06-3
of Rule (1987, the amendment is/are given issued : SI. No. In an	1) of Rule 7 of the Ine Bureau of Indian tent(s) to the Indian ten in the Schedule SCHED O. and Year of the Indian Standard(s) to the Indian Stand	Gureau of Indian Standards hereby Standard(s), particulation hereto annexed, in the policy of the amendment (3) Amendment No. 1 August 1997 Amendment No. 1 June 1997 Amendment No. 2 June 1997 Amendment No. 1 June 1997	Date from which the amendment shall have effect (4) 89-03-31 97-06-30 97-06-30 97-06-30	23. 24. 25. 26. 27. 28. 29. 30 31 32	IS 7151: 1991 IS 7874 (Part 3): 197 IS 8183: 1993 IS 9301: 1990 IS 9301: 1990 IS 10672: 1983 IS 10864: 1984 IS 10908: 1991 IS 11584: 1986 IS 12016: 1987	July 1997 Amendment No. 1 June 1997. Amendment No. 1 July 1997 Amendment No. 1 July 1997 Amendment No. 3 November 1994 Amendment No. 4 May 1996 Amendment No. 3 August 1997 Amendment No. 1 June 1997 Amendment No. 1 June 1997 Amendment No. 3 June 1997 Amendment No. 1 July 1997 Amendment No. 1 July 1997 Amendment No. 1	97-06-1 97-07-2 97-07-2 94-11-1 96-05-1 97-06-1 97-06-1 97-06-1 97-06-1
of Rule (1987, the amendment is are given is sued : SI. No. In an are (1) 1. SP: 2. IS 1 19 3. IS 1 19 4. IS 1 11 6. IS 1 14 4. IS 1	1) of Rule 7 of the Inc Bureau of Indian the Bureau of Indian tent(s) to the Indian ten in the Schedule SCHED O. and Year of the Indian Standard(s) the Indian	Sureau of Indian Standards hereby Standard(s), particular hereto annexed, hereto annexed year of the amendment No. 1 March 1989 Amendment No. 1 June 1997 Amendment No. 1 June 1997 Amendment No. 1 June 1997 Amendment No. 3	Date from which the amendment shall have effect (4) 89-03-31 97-06-30 97-06-30 97-06-30 97-06-30	23. 24. 25. 26. 27. 28. 29. 30 31 32 33 34.	IS 7151: 1991 IS 7874 (Part 3): 197 IS 8183: 1993 IS 9301: 1990 IS 9301: 1990 IS 10672: 1983 IS 10864: 1984 IS 10908: 1991 IS 11584: 1986 IS 12016: 1987	July 1997 Amendment No. 1 June 1997. Amendment No. 1 July 1997 Amendment No. 1 July 1997 Amendment No. 3 November 1994 Amendment No. 4 May 1996 Amendment No. 3 August 1997 Amendment No. 1 June 1997 Amendment No. 1 June 1997 Amendment No. 3 June 1997 Amendment No. 1 July 1997	97-06-3 97-07-3 97-07-3 94-11-3 96-05-3 97-06-3 97-06-3 97-06-3

(1)	(2)	(3)	(4)	(1)	(2)	(3)	(4).
37.	IS 12699 : 1989	Amendment No. 1 January 1997	97-01-31	44.	1S 13947 (Part 4/Sec 1993	1): Amendment No. 1 June 1997	97-06-30
38.	IS 12883 : 1989	Amendment No. 1 July 1997	97-07-31	45.	IS 14268 : 1995	Amendment No. J June 1997	97-06-30
39.	IS 12887 : 1989	Amendment No. 1 July 1997	97-07-31	46.	IS 14355 : 1996	Amendment No. 1 August 1997	97-08-31
40.	IS 12974 : 1990	Amendment No. 1 August 1997	97-08-31	the	Bureau of Indian Sta	iments are available for indards, Manak Bhawan,	9 Bahadur
41.	IS 13000 : 1990	Amendment No. 1 August 1997	97-08-31	Off	ices : New Delhi, C	ew Delhi110 002 an alcutta, Chandigarh, M ch Offices : Ahemadaba	adras, and
42.	IS 13010 : 1990	Amendment No. 3 June 1997	97-06-30	lore, Bhopal, Bhubaneshwar, Coimbatore, Fariadal Ghaziabad, Guwahati, Hyderabad, Jaipur, Kanpur, Lu			,
43.	IS 13019 : 1991	Amendment No. 3 May 1997	97-05-31	now, Patna, and Thiruvananthapuram. [No. CMD/13: P. S. DAS, Director Gene			

नागरिक पूर्ति, उपभोक्ता मामले और सार्वजनिक वितरण मंलालय

भारतीय मानक ब्यरो

नई दिल्ली, 17 सितम्बर, 1997

का.धा. 2485.—भारतीय मानक ब्यूरो (प्रमाणन) विनियम, 1988 के उपनियम (5) के प्रनुसरण में भारतीय मानक ब्यूरो एतद्द्वारा श्रिधसूचित करता है कि जिन लाइसेंमों के विवरण नीचे ग्रनुसूची में दिये गये हैं वे स्वीकृत कर दिए गए हैं श्रनुसूची

क्रम सं.	लाइसेंस संख्या	स्त्रीकृत करने की तिथि वर्ष/माह	लाइसेंसधारी का नाम व पना	प्रीर्घक भारतीय मानक	भारतीय मानक स . /भाग/ग्रनुभाग वर्ष
(1)	(2)	. (3)	(4)	(5)	(6)
1.	9080776	95/03	श्रमोक इंजीनियरिंग एण्ड एग्री- कल्चलं इंड. प्रा.लि., 1686 फोकल प्वाईट, लुधियाना	पायर ध्रे शर की सुरक्षा ग्रपेक्षाएं (संशोधन 4)	श्राई एस 09020: 79
2.	9080574	95/03	रिलायंस इन्स्ट्रू मेंट्स (इंडिया) 125 इंडस्ट्रियल एस्टेट श्रम्बाला, श्रम्बाला केंट-133001	बिजली के घरेलू खाद्य मिक्चर (द्रघीयरक श्रीर ग्राइंडर) (पहला पुनरीक्षण) संशोधत ७	ग्राई एस 04250 : 80
3.	9082073	95/03	आर वी एम इंडस्ट्रीज गीव एवं पोस्ट मास्सरवाला तह. कालका, अस्वाला, मास्सरवाला	पूर्वढलित कंकरीट मैनहोल के ढक्कन ग्रौर फ़ेम भाग 01 ढक्कन (संशोधन 2)	श्राई एस 12592 : 88 भाग 01
4.	9080271	95/03	 श्री कृष्णा सीमेंट त्यां कि . मी . टोशम रोड, तह . भवानी खेरा, भिवानी गांव मिल्कपुर 	33 ग्रेड साधारण पीर्टलेंड सीमेंट (चौथा पुनरीक्षण) संशोधन 3	भ्राई एस 00269 : 89
5.	9081778	95/02	स्टर्डी पालीमर्स लि . 21 इंडस्ट्रियल एरिया, सोलन	पेयजल श्राप्रिंत के लिय गैर- प्लास्टिकृत पीवीसी पाइप (धूसरा पुनरीक्षण) संशोधन 1,)	म्राई एस 04985 : 88
6	9080473	95/03	श्रम्बाला सीमेंट (प्रा.) लि. गांब सोहना, पोस्ट मुलाना, जिला श्रम्बाला, हरियाणा सोहना	43 ग्रेड साधारण पोर्टलेंड सीमेंट (पहला पुनरीक्षण) (संगोधन 3)	ग्राई एस 08112: 78

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(1)	(2)	(3)	(4)	(5)	(8)
7.	9082174	95/02	सैन्च्यूरी प्रोटीन्स लि . , 49 कि .मी .स्टोन विल्ली रोड, जिला रोहतक, सांपला हिरयाणा	वनस्पति पैकिंग के लिए नम्स पैक (संशोधन 3)	माई एस 113 52: 85
8.	9080170	95/02	ममता सीमेंट कं. (प्रा.) लि., गांव खैरा, खैरा जिला ग्रम्बाला	43 ग्रेड साधारण पोर्टलेंड सीमेंट (पहला पुनरीक्षण) (संगोधन 3)	श्राई एस 08112: 78
9.	9080675	95/03	मा डनें डेय री लि . 136, किमी स्टोन, गांव शामगढ़, जी .टी . रोड, जिला, करनाल, शामगढ़	शिश् दूध घाहार (दूसरा पुनरीक्षण) (संशोधन 3)	भाई एस 01547: 85
10.	9081273	95/03	मिल्क फूड लि . , डाक बहायुरगढ़, जिला पटियाला—1 47002	मलाईमुक्त (रहित) दूध पाउडर भाग 2 म्रतिरिक्त ग्रेड	म्राई एस 13334: 91 भाग 02
11.	9080877	95/03	भ्रोंकार इंडस्ट्रीज, जी .टी . रोड, कपूरथला, फगवाड़ा	धरेलू ग्रौर समान प्रयोजनों के लिए स्थिन (पहला पुनरीक्षण) (संशोधन 3)	, श्राई एस 3854 : 88
1 2.	9081576	95/03	प्राइम प्रोटीनस लिमिटेड, मालौट रोड, जिला घबोहर, गांव गोबिन्दगढ़	वनस्पति पैकिंग के लिय नम्य पैक (संशोधन 3)	माई ऐस 11352 : 85
1 3.	9080069	95/03	रामुका भागेरिया सीमेंट्स (प्रा)िल ० 93/94 कि .मी .स्टोन नेशनल हाईबे–8 तहबबल रेवाड़ी (हरियाणा)	43 ग्रेड साधारण पोर्टलेंड सीमेंट (पहला पुनरीक्षण) (संशोधन 3)	श्राई एस 08112: 78
1 4.	9081677	95/03	रोड मास्टर फूड्स लि . , फोकल प्वाइंट, कोटकपूरा (पंजाब)	मलाई रहित दूध पाउडर भाग 1 मानक ग्रेड (संशोधन 1)	ब्राई एस 13334: 91 भाग 01
1 5.	6075667	95/03	रमन पालीमर्स, 4–237 रामा रावकाम्प्लेक्स गीता नगर, फेरोजगुषा, बालानगर, हैदराबाद-500011	कांच रेगा प्रचलित पालिएस्टर रेजिन (बी श्रार पी) स्कन्नेटिंग पात्र (पहला पुनरीक्षण)	माई एस 11246: 92
l 6.	6075768	95/03	साबरी इंडस्ट्रीज एंड फाउंडरी, 6/1274 मत्तूपलायम रोड, ग्रवनागीलिंघम होम, साईस कालेज पोस्ट, कोयम्बत्तूर- 641043	कृषि कार्यों के लिय साफ टंडे पानी के मोनोसैंट पंप	म्रा ई एस 09079 . 89
17	6074362	95/03	इ एम सी क्षुश मैं स्युफ्तैक्चरिंग कम्पनी प्रा. लि. 69/ए वेगूर होक्स्ती, बोम्मनहल्ली, बंगसौर-560068	ा, विजलीकी मणीन के लिये कार्बन ब्रुष	, श्राईएस ०३०७३: ७७
8	7075369	95/03	भ्रभय एग्रो पाइप इंडस्ट्री, एस नं० 11/2 बालसोड, तह० हिगोली, परभानी जिला- 431513	पेयजल त्रापृति के लिये गैर- प्लास्टिकृत पीयोसी पाइप (दूसरापुनरीक्षण (संगोधन 1)	भाई एस 04985 : 8 8

(1)	(2)	(3)	(4)	(5)	(8)
1 9.	7071664	95/03	एशियन सोमेंट पाइप्स एंड कंकीट त्रक्स, 80/4, साइदपुर पूना- बंगलीर रोड्डकोण्डावे, सतारा- 415002	पूर्वतित कंक्रीट पाइप (प्रजलन महित और रहित) (संगोधन 2)	श्राईएस ००४ इ ह : 8 ह
20.	7072969	95/03	औरंगाबाद केबल्स लि एच-17/2 एम द्याई भी सी एरिया, श्राल्ज-431130	पूबप्रसिबलित कंत्रीट के लिये गहेदार तार (पहला पुनरीक्षण) (संगोधन 1)	श्राई एस ००००३: 83
21.	7073971	95/03	अंकुर इर्ले क्ट्रिकल्स प्रात्ति. महल इंडस्ट्रियल एस्टेट, पहला तल, महाकाली गुफा रोड, अंधेरी (ईस्ट) अम्बई-400093	निलकाकार प्रतिदीप बत्तियों के लिये हि-पिन बत्तीधारक	आईएस ७३३२३ : 80
. S.	7074064	95/03	एष्पल इत्तै क्ट्रिकल कम्पनी, युनिट नं: 4 प्रथम तल, हितेन्द्रा एस्टेट, बीपी त्रास रोड़ नं, 4 सम्मुख बैक ऑफ इंडिया भायान्दर (ई) थाणे जिलान 401105	घरेलू और समान प्रयोजनों के लिये स्विच (पहला पुनरीक्षण) (मंगोधन 3)	म्राई एस 03854:88
23	7073062	95/03	ग्रमरदीप होम एम्पलायंसेस प्रा. लि. 101/ए प्रथम तल गवर्नमेट दंख. एस्टेट, (काण्डीवली वैस्ट) वस्वई—400067	., द्रधित पट्टोलियम गैम के साथ प्रयुक्त गैस चूरुहे (चौथ पूनरीक्षण)	श्राई एस 04246: 92
24.	7071361	95/03	जिनियस प्लास्टिक, पीवी नं . 8934 साकी विहार रोड, वौबई, बम्बई400072	250 वो . तक की रेटित बोल्टता और 10 एम्पीय तककी रेटित धारा के लिये प्लग साकेट ब्राउटलेट (दूसरा पुनरीक्षण) (संगोधन 4)	श्राई एस 01293 : 88
25	7074367	95/03	हीता एन्टरप्राइजेज, बी-45 मुक्ला एम्टेट, सिगल कम्पाउंड सम्मुखः प्रजित म्लास, एस.बी. रोड. (जोगेम्यरी बेस्ट) बम्बई-400162	घरेलू और समान प्रयोजनों के लिये स्विच (पहला पुनरीक्षण) (संशोधन 3)	थाई एस (3854 - 88
28	7075167	95/03	हिन्दुस्तान धायल कम्मनी, 312/13, महेश इंडस्ट्रियल एस्टेट, काणीमीरा रोड, भायान्दर (ई) थाणे जिला- 401104	द्रशित पैद्रोतियम - गैम के सा। प्रयुवन गैस च्यूक्त्रे (चौथा पुनरीक्षण	
27.	7071569	95/03	जे.के. इ.सैक्ट्रकल इंडस्ट्रीज, जे4, जैयसवाल हाउस, शुक्ता इंड, एस्टेट, सिह कम्पाएंड, सम्मुख: ग्रजित ग्लास, एस.बी. रोड, जोगेश्वरी वैस्ट) बस्बई-400102	घरेलू और समान कार्यों के लिये स्विच (पहला पृतरीक्षण) (मंगोधन 3)	आर्टिएम 03854: 68

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(1) (2)	(3)	(4)	(5)	(6)
28 7074165	95/03	जालाराम प्लास्टिक इंडस्ट्रीज, 24/25 इंड. एस्टेट, नं. 2, बारगी, गोलापुर जिला-413401	पेयजल झापूर्ति के लिय गैर- प्लास्टिक्टत पीवीसी पाइप (दूसरा पुनरीक्षण) (संशोधन 1)	बाई एस 04985 : 88
29. 7070783	95/03	काबसंस इंड. लि., प्लाटनं. धी-3, एम धाई डी सी इंड. एरिया, वालोज, औरंगा बाद, जिला-431133	1 3 लिटर पानी की क्षमता से अन्धिक ब्रेजित निम्न कार्बन इस्पात के गैंग स्िलंडर	माईएस 12586: 88
30. 7073668	95/03	परासकर इंडस्ट्रीज, 1/2 प्रानन्द श्रपाटंमेंट्स कस्तूरवा रोड नं. 4, वोरीयली (पृ.) अम्बई-400088	ब्रवित पैट्रोलियम गैंसों केंसाथ प्रयुक्त घरेलू गैंस च् <i>रु</i> हे	माईएस 04246: 92
31. 7074872	95/03	सांधी पाइप इंडस्ट्रीज, ई 55 एम झाई हीसी जलगांव 425003	पेयजल मापृति के लिये गैर- प्लास्टिकृत पीवीसी पाइप (दूसरा पुमरीक्षण) (संशोधन 1)	श्राई एस 04985 : 88
32. 7071866	95/03	म्रनमुया इक्युपमेट इंजीनियर्स, प्लाट नं. 15/196 इंड. एस्टेट, सांगली-416416	साफ और टंग्ने पानी के लिये क्षतिज ग्रपकेन्द्री पंप भाग 1 कृषि और ग्रामीण जल पूर्ति-प्रयोजनों के लिये	श्राई एस 06595 : 93 भाग 01
33. 7074266	95/03	वाल्मर-लायरी कं . लि . , 149, जकेरिया रोड, सेवरी, बम्बई 400015	बंद सिरे वाले बड़े ड्रम भाग 1 ग्रेड ए ड्रम (तीसरा पुनरीक्षण)	न्नाई एस 01783 ' 93 भाग 01
34. 7071462	95/03	काउन इलैक्ट्रिकल्स एण्ड इंजी. कं., इक्ल्यू–7 एम भ्राई डी सी, मिरोली, कोल्हापुर	कृषि कार्यों के लिए साफ, ठंडे पानी के मोनो सैट पम्प	माई एस 9079 : 8 9
35. 7074468	95/03	कासमिक इंडस्ट्रीज, 119 सोनल हैवी इंड, एस्टेंट, राम चन्द्र लेन (एक्स), मलाङ (प.) बम्बई-400064	घरेलू घौर समान कावों के लिए स्विच (पहला पुनरीक्षण)	माई एस 03854: 88
36. 7071260	95/03	दत्ताक्षया केबल्स प्रा. लि. ए.–2/3 एम आई डी सी कालमेश्बर जिला नागपुर	ि सरोपरि प्रेषण कार्यों के लिए एल्युमीनियम चालक भाग 1 एल्युमीनियम के लड़्दार चालक (दूसरा पुनरीक्षण)	ब्राई एस 00398 : 76 भाग 01
37. 7070846	95/03	क्षेरजी देवशी एण्ड कं. प्रा. लि., भक्त कवि शिवजी भार्ट पेयशी मार्ग, गोविन्द वक्से, समीप गोवन्दी रेलवे स्टेशन, बम्बई-400088	मुवाह्य मिनिशामको भीर रसा- यन प्रग्नि इंजनों के लिए रिफिल भाग 2 झाग टाइप सुवाह्य अप्ति शामकों के लिए (पहला पुनरीक्षण)	श्राई ऐस 05490:77 भाग 02

(1)	(2)	(3)	(4)	(5)	(6)
38.	7072464	95/03	कूबेरजी देवणी एण्ड कं. प्रा. लि., भन्तकवि शिवजी भाई पेवणी मार्ग, गोवन्दी वर्क्स, समीप गोवन्दी रेलवे स्टेणन, बम्बई-400088	अन्तिणामक, कार्बन डाईआक्साइड टाइप (सुवाह्य ग्रीर ट्राली आरोपित) (दूसरा पुनरीक्षण) (संशोधन-1)	आई प् स 02878: 86
3 9.	7072161	95/03	शिवानन्द इंडस्ट्री, शिवाजी रोड, लातूर-413512	कृषि कार्य के लिए साफ, ठंडे पानी के मोनो र्ड ट पम्प् (पहला पुनरीक्षण) संकोधन-2)	श्राई एस 09079: 89
40.	7071765	95/03	वोस्टास लि., हैं गांव मजारा, तहसील : वरोडा, जिला—चन्द्रापुर }ें	सिकाई उपस्कर-छानक टाइपः किल्टर (पहला पुनरीक्षण)	
1.	7074670 _.	95/03	गोपाल इंडस्ट्रीज, 386/6 समीप जी डी हाई स्कूल साइजपुर बीवा, नारोदा रोड, ग्रहमदाबाद 382345	निमञ्जनीय पम्प सैट (पहला पुनरीक्षण) (संशोधनः	याई एस 08034:76 -3)
42.	7072868	95/03	जे के बी एम लि. 133-134 जी आई ही सी इंड. एस्टेट, ग्रंकलेक्सर, भरुष-393002	चिरेम जल परिक्षेषणीय चूर्ण हैं (पहला पुनरीक्षण) (संबोधन 2)	সাই দ্ব 04,766 : 82
43.	7073567 बी-1 जीम्राईडीसी	95/03	पियोनियर प्लास्टिक इंडस्ट्रीज, बी-1 जीग्राईडीसी मोघव इंडस्ट्रियल टाउनिविप, श्रोधल रोड, ग्रहमदाबाद	पेयजल भापूर्ति के लिए गैर- प्लास्टिकृत पीबीसी पाइप (दूसरा पुनरीक्षण) (संकोकन-1)	घाई एस 04985 : 88
44.	7073163	95/03	डायमंड केंबल्स 5/12 इंडस्ट्रियल एस्टेट, गोरवा रोड, बड़ोदा-390016	1100 वोस्ट तक की कार्यकारी बोस्टता के लिए पी बी सी∳ रोधित केबल (तीसरा पुनरीक्षण)	ब्राई एस 00694: 90
45.	7053264		हायमंह केंबल्स, 5/12 इंडस्ट्रियल एस्टेट, गोरवा रोड, ग्रहमदाबाद बडोदा-390016	पीबीसी रोधित (भारी कार्य) कि किली की केवल भाग 1,1100 बीट तक की कार्यकारी घोस्टता के लिए (तीसरा पुनरीक्षण)	प्राई एस: 01554:8 8 ाग 01
46.	7072787	95/03	गजाम्बुजा सीमेंट (युजरात ग्रम्बुजा सीमेंटस की इकाई) ग्रम्बुजा नगर, सोडीनार तालुक, ग्रमरेली जिला-362715	चिनाई हीमेंट श्रा	ई प् स : 03466 : 88
47. 7	073466		गुजरात कृषिकेम कारपोरेश्वन, सी-5/185 जीआईडीसी वापी (जिला क्लमाड)	श्रावतोष्ट्रोटरन, डब्ल्ब पी श्रा	ई एस 11995 : 87

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(1)	(2)	(3)	(4)	(5)	(6)
48	7072363	95/03	बुग्दन पेरटीनेस, प्लाट नं. 3753, पेस 4, जीश्राई शीसी वतबा, प्रहमवाबाद-382445	इंडोसल्फान पायसनीय सौद्रण (पहला पुनरीक्षण) (संशोधन 2)	ब्राई एस 04323: 80
49.	7072565	95/03	लुपिन एग्रो वैभिनत्स (इंडिया) प्रा. लि 242/दीजीग्राई डीसी पनोसी, जिला करूक	मेनकोजेब जल परिक्षेपणीय चूरं सांग्र ण (संबोध न 2)	ग्राई एस 08708 : 78
5 ().	7073869	95/03	यूनार्टेड पासपोरस लि ६ → 2/2 जी ग्राई दी सी, वापी (नाुजरात)	कीटनाणत्र-कार्बेन्डाजिम (ए.म.की.सी.) डक्ल्यूपी (पहला पुनरीक्षणः)	प्राई एम 08446 : 91
51.	7073870	95/03	णुनांद्रेट पालपोरम लि., ए-2/2 जी झाई की सी वापी (गुजरात)	डाईमिथोण्ट पायसनीय सांडण	श्रार्ड <u>एस 03903</u> : 84
5 2.	7073365	95/03	विजय इंडस्ट्रीले, ई-4, पटेल दंड : एस्टेट, यणुना मिल रोड, बडोरा 3९००१4	33 ब्रेड साधारण पोर्टलैण्ड सीमेंट (पीधा पुनरीक्षण) (संघोधन 3)	ब्राई एस 00269: 89
53	9081374	95/03	श्रमु प्रोडवंटस लिमिटेड, कटवांव शेष, पुराना पशीवाबाद पशीवाबाद (हेरियाणा)-12100	•	त्राई एस 11995 : 87
54.	5042748	95/03	बिहार इलेक्ट्रो मेटरस, शो. अम्बुजा विन लिमिटेक, नसरीनंज, पटना-800012		आई एस 08249: 76
5 5.	6075061	95/03	क्तमदिव सैम्पसं इंडस्ट्रीज, वी-66 दूसरा त्रोस पिनया इंड. एस्टेट, फस्टंस्टेज, पिनया वंगलौर 560058	-	श्राई एस 00418 : 78
56.	5041443	95/03	एसिमको 22 एमालन्गेशु ई.र रोड, कलयक्षा 700048	पिजीसिक टाईप रोगाणुना फी प्रवाह।	ग्राई एस 01061 : 82
57.	5042243	95/63	बंदाल सीमेंड क्रम्यनी लि., दक्षिण राजधर पुर. दिल्ली रोब, दी.एस. सेरामथुर द्वुगली	पुनरीक्षण) संशोधन -3)	म्राई एस 00455 : 8 9
58.	5042647	9 5/ C 3	चिपतेम (प्रंडिला) 58 की.टी. पोड, बल्यक्रा-700004	सुवाह्य धान्तिशामवीं और रमायन अभिन एजनों के लिए रिपिल भार 2 साग टाइप सुवाह्य प्रश्ति शामवीं के लिए (पह्ला पुनरीक्षण) (संसोधन-2)	भाग 022
59	5042546	9 5 / 0 3	रासको कें.मिकल इंडस्ट्रीज, 62 महारमा गांधी रोड, क्लकरा⊶760682	फिनोलिक टाइप रोगाणुनामी प्रवाह	शाई एस० 01061 : 82

(1)	(2)	(3)	(4)	(5)	(e)
60. 50	43144	95/03	राजपूत स्टील माम्प्लेक्स प्रा. लि. । 58 रोजाला रोज, लिलुह, हाब्बा	य ्राह्यां	श्राइं.एस. 04109: 67
61. 50	41342	95/03	दनाव्हेब स्टील कम्पनी पी.ओ. लेनापुर खड़गपुर जिला मिदनापुर (पं०वंगाल)	वंकिट प्रवापन के लिए उच्च सामर्था विस्तिपत इरपात/ सर्थि जोरई उतार तीसरा पुनरीष्ट्रण ब्राई एस 1139 का ब्रातिवमण करते हुए	श्राई ए स 0178€:85
62. 50	41544	95/03	बंगाल श्रायरन कारपोरेणन श्रामुतोष बोष रोड. जिलाना, हावका	ढलबां कोई के बर्दा वे पानी की निकासी के पाष्प और पिटिंग (इसरा पुनरीक्षण) (संशोधन 1)	श्राई एस 01239: 79
63. 50	42849	95/03	बास्मर लारी एंड कं. लि., पी 4/1 श्रायल इंस्टालेशन रोड, कलकला 700788	वंद सिरे वाले वर्ड हम भाग 1 ए ग्रेड इम	आई.एस.01783 : 93 भाग 01
64. 50	42344	95/03	छेल्टा जूट एण्ड इंडस्ट्रीज लि माणिक पुर, पो.ओ. वैतामिल्स 711309	खाद्यास पैंक करने के लिए पटसन के बोरें:50 किलोग्राम	•
65. 50	42142	95/03	हुगली मिल्स कं. लि., (यूनिट वागेली जूट मिल्स) पी.घो. श्रथपुर जिला 24 परगना	खाद्याप्त पैक करने के लिए पटसन के बोरे–50 किलीग्राम	
66. 50	42950	95/03	हुगली मिल्स कं. लि. (यूनिट:गोंडलपाड़ा जूट मिल्स) जिला हुगली, प.नं. गोंडलपारा 712137	खाद्याघ पैक करने के लिए पट- सन के बोरे-50 किलोग्राम	श्राई एस 12650 : .92
67. 504	41645	95/03	जे.बी. कास्टिंग एण्ड फोनिंग्स, (प्रा.) लि. बनारस रोड, कोना–हाडड़ा	ग्रपशिष्ट और संझातन के लिए रेत के सांचों में ढले लोहे के सिपगट ग्रोर साकेट पाइपसर्विटन ग्रीर सहायकांग (पहला पुतरीक्षण)	ष्राई एस 01729 : 7 9
68. 504	42041	95/03	कैल्विन जूट कं लि. 24 पाकं रोड, पी.भ्रो. तालपुकुर, जिला ∠4 परगना	खाद्याघ पैक करने के लिए पटसन के बोरे—50 किलोग्राम	श्रार्प् स 12650 : 89
69. 504	41746	95/03	प्रिमीयर इरीगेशन इक्यूपमेंट प्रा. लि., पी.स्रो. बोरास, जिला 24 परगना	सिवाई उपस्करउत्सर्जक (संशोजन 2)	आई एस 13487: 92

(1)	(2)	(3)	(4)	(5)	(e)
70.	5041847	95/03	जयसत्रात प्लास्टिकस ट्यूब्स ति . जाजुर्गज, बालासीर (उड़ीसा)	बोर/नलकूपों के लिए ग्रनम्यकृत पी बीसी जाली ग्रौर ग्रावरक पाइप	माई एम 12818 : 93
71.	5043043	95/03	कोणार्क जूट लि . , धनमंडल, जिला कटक	खाद्याश्च पैक करने के लिए पटसन के बोरे-50 किलोग्राम	श्राई एस 12650 : 86
72.	5041948	95/03	नीलांचल प्लास्टिकस प्रा. लि. प्लाट नं. 1 ए, चन्दका न्यूक्तीयस काम्प्लेक्स, सॅक्टर बी. पाटिया भुवनेश्वर 751031	कोर/नलकूपों के लिए ग्रनम्पकृत पी वी सी ग्रीर श्रावरक पाइप	माई एस 12816 : 9 :
73.	5042445	95/03	रिव हाई-देक लि., एन एच-6/7 वी फेस ग्रादित्यपुर इंडस्ट्रियल एरिया, गम्मेरिया, जनगोदपुर 832108	कंकीट प्रबलन के लिए उच्च सामर्थ्य विक्षपित इस्पात के मरिये और तार (तीसरा पुनरीक्षण) आई एस 1139-1966 का प्रतिक्रमण करते हुए	आई एस 01786 : 85
74.	6074665	95/03	मुधीर कन्द्रोल गियर एवट लाइटिंग इक्यूपमेटस (प्रा.) लि., मूनिट नं. 7 श्रीर 8 ब्लॉक नं. 2, डा. जयलिलता इलैक्ट्रोनिक्स काम्प्लेक्स, गुइन्डे, मद्रास-600032	बिजली के उपकर्णों के लिए ज्वाला–सह ग्रावरण (दूसरा पुनरीक्षण) (संबोधन 3)	म्राई एस 02148 : 8
7 5.	6074968	95/03	टेक्नो-फ्यूब्रा लि., 400/2ए येट्टीपुनियम, जी.एस.टी. टी. रोड, बेंगई एमजीग्रार जिला (टीएन)	मीर सपाट पट्टिका संग्राहक भाग । अपेक्षाएं	श्राई एस 12933 : 9: भाग 1
76.	6075566	95/03	वेंकेटक्वर सीमें ट लि., नाचियारपेट गांव, मनागाठीड़ उदयारपरलयन तालुक न्निच जिला (तमिलनाडु)- 621804	43 ग्रेड साधारण पोर्टलैण्ड सी मेंट (पहला पुनरीक्षण) (संशोधन 3)	श्राई एस 8112 : 7
77.	6075364	95/03	श्रसगप्पा सीमें टस प्रा. लि . कीलपायवर 621707 श्ररीयसूर नासुक, क्षिचे जिला	43 ग्रेड साधारण पोर्टलैण्ड सीमें ट (पहला पुनरीक्षण) (संगोधन 3)	সাই
78.	6075364	95/03	श्राई टी डब्ल्यू सिग्नोडे इंडिया लि. 30-1 श्राई ही ए मौला श्रली, हैदराबाद-500040	श्रतप्त वस्लित इस्पात पत्तियां (बक्सा बांधने वाली)	प्रार्ड एस 05872 : 9 ः
79.	6075162	95/03	नवमाती मैन्युफैक्चरिंग कम्पती, 32, नवा इंडिया रोड, पीलभेडू, कोयम्बत्तूर-641004	कृषि कार्यों के लिए साफ, ठंडे पानी के मोनोसैट पम्प (पहला पुररीक्षण) (संबोधन 2)	न्नाई एस 09079 : 8 9

(1)	(2)	(3)	(4)	(5)	(6)
80.	7071563	95/03	मा विलै क्य इरीगेणन लि., गेट नं. 41 कुसगांव, पास्ट खेड, शिवापुर, संह : भोर, पुणे जिला 412305	पानी की आपूर्ति के लिए उ च्य घनत्व बाले पालिएथिलीन पाइप	ब्रा डिएस : 04984 : 87
81.	9081879	95/03	मांगर इलैक्ट्रोड्स (प्रा. लि.), राधा नगर. खाम्मापुर, फतेहपुर	हस्त्य धातु, ध्राकं वैल्डिंग के ग्रावृत्त कार्बन भीर कार्बन मँगनीज इस्पात इलैक्ट्रोड	श्राईएस 00814 : 91
82.	9079791	95/03	बालाजी स्टील ट्यूब्स एण्ड पाइप्स लि. 37 कि.मी. स्टोन, जैनपुर इंडस्ट्रियल एरिया, कानपुर देहात	मृदु इस्पात की नालियां, नालिकाकार सामग्रियां तथा पिठवां इस्पात की अन्य फिटिंगें	आई एस 01239: 90
83.	8090875	95/03	श्ररुण मॅन्यूर्फक्चरिंग कं. 169 करावल नगर, दिल्ली-110094	1100 बोस्ट तक की कार्यकारी बोस्टता के निष् पीवीमी रोधित केबन (तीसरा पुनरीक्षण)	श्राईएस 00694 : 92
84.	8092778	95/03	हर मारायण ट्यूब्स, डब्स्यू जैंड 754 ए. सुदर्शन पार्क, नई दिल्ली–110015	पानी के मीटर (घरेलू किस्म) (पांचवा पुनरीक्षण) (संकोघन 3)	म्राई एस 00779:78
85.	8091473	95/03	हर नारायण ट्यूब्स, डब्स्यू जैड 754 ए सुदर्शन पार्क, नई विस्ली-110015	द्रवित पैट्रोलियम गैसों के साथ प्रयुक्त घरेलू गैस चूरहें	श्राईएस 04246 :92
86.	8091574	95/03	हर नारायण टयूब्स, डब्स्यू जैड 754 ए सुदर्शन पार्क नई दिल्ली-110015	इस्पात के धरवाजे के फेम (पहला पुनरीक्षण) (संशोधन 2)	म्रा ईएस 04351 :76
87.	8090471	95/03	सेफ्टी एप नायंसेंस ' डब्स्यू जैड 513, ए , प्रथमतन, बसईदारापुर, दिल्ली- 110015	विद्युत्त इस्तरी (चौथा पुनरीक्षण)	म्राईएस 00366:91
88.	8092273	95/03	विद्युत्त उद्योग, बी–71/3, वजीरपुर इंड. एरिया, दिल्ली–110052	बिजली के पानी गर्म करने के भंडारण किस्म के स्थिर हीटर	म्राईएस 02082: 93
8 9.	8091372	95/03	श्रदण मैन्युफैक्चरिंग कं, 169 करावल नगर, विल्ली-110094	पीनीसी रोधित (भारी कार्य) बिजली की नेबल, भाग 1 1100 वोल्ट तक की कार्य- कारी बोल्टता ने लिए	ग्राईएस 01554 : 88 भाग 01
90.	8092172	95/03	बत्ना इंटरप्राइसेस, एल∽156ए लक्ष्मण पुरी, राम नगर, नई दिल्ली→110055	पानी गर्म करने के इंस्टैंट हीटर (दूसरा पुनरीक्षण) (संशोधन 1)	प्राईएस 08978 : 92
91.	8090976	95/03	चेम्पियन इलेक्ट्रिकल इंड., ए37, जी. टी. करनाल रोड, इंड. एरिया, दिल्ली110033	षरेलू भौर समान विद्युत्त साधितों की निरापदता भाग 2 विशेषताएं	आईएस 00302: 92 भाग 02 अनुभाग 03

(1)	(2)	(3)	(4)	(5)	(6)
9 2.	8091069	95/03	मस्होस्रा इलेक्ट्रिकल इंडस्ट्रीज, 6/3, सिंह सभा रोड, सब्जी मंडी, दिल्ली-110007	घरेलू श्रौर समान विद्युत्त साम्रिकों की निरापदता भाग 2 विशेषताएं	माईएस 00302: 92 भाग 02 अनुभाग 03
93.	8092475	95/03	गीतल इलेक्ट्रिकल्स, डब्स्यूपी 1, बजीरपुर गांव, प्रशोक विहार, दिस्ली–110052	घरेलू ग्रौर समान विद्युत्त साधिवों की निरापदता भाग 2 विशेषताएं	म्राईएस 00302: 92 भाग 02 म्रनुभाग 201
94.	8091170	95/03	श्रीराम इंजी. वक्सं बी65 खसरा नं. 38, गांव डाबरी, पी. स्रो. पालम, नई विल्ली	घरेलू ग्रौर समान विद्युत्त साधितों की निरापदता भाग 2 विशेषताएं	स्राईएस 00302: 92 भाग 02 प्रतृक्षाग 03
9 5.	8092374	95/03	सूरी इंटरप्राइसेज, 662/8 घाटी मार्ग, पंजाबी बस्ती, आनन्द पर्वत, नई दिस्जी-110006	पानी गर्म कटने के ४ बाऊ हीटर (चौया पुनरीक्षण)	ब्राईएस 00368 :92
96.	8090774	95/03	टैक्नोमेटिक, 35, मस्जिद लेन, जंगपुरा भोगल मार्केट, नई विरुली-110014	घरेलू श्रौर समान विद्युत्त साधिन्नों की निरापदता भाग 2 विशेषताएं	भाईएस 00302:92 भाग 02 श्रनुभाग
97.	8092071	95/03	कु डो स रबर उ खोग, 5 67—सेक्टर 3, पीतमपुर, धार पीतमपुरा ।	द्ववित पेट्रोलियम गैस के लिए र बर की नम्य नालियां	मार्हएस 10908:91
98.	8090572	95/03	नवीन टैक्नोकेटस प्रा. लि. सम्मुख इंडस्ट्रियल एरिया, गहरा नाली, समीप यादव धर्मकांटा रेखा रोड़, सतना 485001	निमञ्जनीय पम्प सेट	श्रा ई एस 08034:89
99.	8093982	95/03	भोपाल पेस्टीसाइड्स शेड मं . 10,इंडस्ट्रियल एस्टेट, गोविन्दपुरा, भोपाल 462023	कीट नाणक डोडिन डब्स्यू. पी.	ग्राईएस 13785 :93
100.	8091877	95/03	डायमंड 11, इमलई, जिला वामोह मध्य प्रदेश	43 ग्रेड साधारण गोर्टलैंड सीमेंट (पहला पुनरीक्षण) (संशोधन 3)	श्राईएस 08112 : 89
101	8091978	95/03	श्रायमंड 11 इमलई, जिला दामोह, मध्य प्रदेश	पोर्टलैंड पोजोलाना सीमेंट भाग 1 फ्लाईएस आधारित (तीसरा पुनरीक्षण)	श्राईएस 01489 : 91 भाग 01
102.	8090673	95/03	प्लूटन सीमेंट प्रा. लि., प्लाट नं. 52-54 ए, पीतमपुर इंड. एरियानं. 3, बागदून जिला घार	43 ग्रेड साधारण पोर्टलैंड सीमेंट (पहला पुनरीक्षण) (संशोधन 3)	श्राईएस 08112:89
103.	8091271	95/03	शील केमिकल इंडस्ट्रीज, ए. बी. रोड, बहोवापुर जनकताल, ग्वासियर 474001	फिनोलिक टाइप रोगाणुनाशी प्रवाह काला ग्रौर सफेद (सीसरा पुनरीक्षण)	श्राईएस 01061:82

[[]सं. के प्रवि / 13: 11] पी. एस. दास, महानिदेशक

New Delhi, the 17th September, 1997

S.O. 2485.—In pursuance of Sub-regulation (5) of the Bureau of Indian Standards (Certification) Regulations, 1988, of Bureau of Indian Standards, hereby notifies the grant of licences particulars of which are given in the following schedule.

THE SCHECULE

No.	nce No.	Operative Date	Name & address (factory) of the party		IS:No./Part/Sec z ycar
1	2_	3	4	5	6
1. 908	30776	95/03	Ashok Engineering & Agricultural Inds. Pvt. Ltd. 1686, Focal Point Ludhiana	Safety requirements for power threshers (Amendments 4)	IS 09020 : 79
2, 908	0574	95/03	Reliance Instruments (India) 125, Industrial Estate Ambala Ambala Cantt133001	Domestic Electric food mixers (liquidizers and grinders) (first revison) (Amendments 7)	IS 04250 : 80 i-
3. 908	2073	95/03	R.V.M. Industries Vill. & PO Massarwala	Precast concrete manhole covers and frames Part 1 Covers	IS 12592 : 88
			Teh. Kalka Ambala Massarwala.	(Amendments 2)	PART 01
4. 908	0271	95/03	Shree Krishua Cement 7th Km. Tosham Road, Teh. Bhawani Khera Bhiwani, Vill. Milkpur.	33 Grade ordinary Portland cement (fourth revision) (Amendments 3).	JS 00269 : 8
5. 908	1778	95/03	Sturdy Polymers Ltd. 21, Industrial Area Solan Baddi.	Unplasticised PVC pipes for portable water supplies (second revision) (Amendment 1)	IS 04985 : 8
6. 908	30473	95/03	Ambala Cements (P) Ltd. Village Sohana, PO Mullana Distt. Ambala Haryana. Sohana.	43 grade ordinary Portland cement (first revision) (Amendments 3)	1S 08112 : 78
7. 908	2174	95/03	Century Proteins Ltd. 49 Km. Stone Delhi Road Distt. Rohtak Sampla, Haryana.	Flexible packs for the packing of vanspati (Amendments 3)	IS 11352 : 8
8. 908	0170	95/03	Mamta Cement Co. (P) Ltd. Village Khera Khera, Distt. Ambala.	43 grade ordinary Portland cement (first revision) (Amendments 3)	IS 08112 : 7
9. 908	0675	95/03	Modern Dairies Ltd. 136, Km Stone Vill. Shamgarh G.T. Road. Distt. Karnal Shamgarh.	Infant milk food (Second revision) (Amendments 3).	IS 01547 : 8

Bombay-400093.

(1)	_ (2)	1	(3)	(5)	(6)
22.	7074064	95/03	Apple Electrical Company Unit No. 4, First Floor Hitendra Estate, BP Cross Ro No. 4 Opp. Bank of India Bhayander (E) Thane District - 401 105.		IS 03854 ; 88
23.	7073062	95/03	Amardeep Home Appliances Pvt. Ltd. 101/A, (First Floor Govt. Indl. Estate Kandivili (W) Bombay-400 067.	Domestic gas stoves for use with liquefied petroleum gases (fourth revision).	IS 04246 : 92
24.	7071361	95/03	Genius Plastics P.B. No. 8934, Saki Vihar Road, Powai, Bombay-400 072.	Plugs and socket outlets of rated voltage upto and including 250 volts and rated current upto and including 16 amperes (second revision) (Amendments 3).	1S 01293 : 88
25. 7	7074367	95/03	Heena Enterprises B-45, Shukla Estate, Single Compound Opp. Ajit Glass, S.V. Road, Jogeswari (W), Bombay-400 102.	Switches for domestic and similar purposes (first revision) (Amendments 3).	IS 03854 : 88
26. 7	075167	95/03	Hindustan Oil Company 312/13, Mahesh Industrial Estate, Kashimira Road, Bhayander (E) Thane District - 401 104.	Domestic gas stoves for use with liquefied petroleum gases (fourth revision).	IS 04246 ; 92
27. 70	074569	95/03	J.K. Electrical Industries J-4, Jaiswal House Shukla Indl. Estate Singh Compound, Opp. Ajit Glass S.V. Road, Jogeshwari (W) Bombay-400 102	Switches for domestic and similar purposes (first revision) (Amendments 3)	IS 03854 : 88
28 - 70)74165	95/03	Jalaram Plastic Industries 24/25, Indl. Estate No. 2 Barshi Solapur District 413 401	Unplasticised PVC pipes for potable water supplies (second revision) (Amendment 1)	IS 04985 : 88
.9. 70	70763	95/03	Kabsons Inds. Ltd. Plot No. B-3, MIDC Indl. Area, Waluj Aurangabad District-431 133	Brazed low carbon, steel gas cylinders not exceeding 13 litre water capacity	IS 12586 : 88
0. 70	7.3668	,	Paraskar Industries	Domestic gas stoves for use with liquefied petroleum gases (fourth revision)	1S 04246 : 92
1. 70	74872		E-55, MIDC	Unplasticised PVC pipes for potable water supplies (second revision) (Amendment 1)	1S 04985 : 88

- 	2.	.3	4	5	6
32	7071866	95/03	Anusaya Equipment Engineer Plot No. 15/196 Indl. Estate Sangli-416 416	s Horizontal centrifugal pumps for clear, cold water: Part 1 Agricultural and rural water supply purposes (second revision)	IS 06595 : 80 Part 01
33	7074266	95/03	Balmer Lawrie Co. Ltd. 149, Jackeria Road, Sewree Bombay-400 015	Drums, large, fixed ends, Part 1 Grade A drums (Third revision)	IS 01783 : 93 Part 01
34	7071462	95/03	Crownch Electricals & Engg. Co. W-7, MIDC Shiroli, Kolhapur	Monoset pumps for clear, cold water for agricultural purposes (first revision) (Amendments 2)	IS 09079:89
35	7074468	95/03	Cosmic Industries 119 Sonal Heavy Indl. Estate Ram Chandra Lane (Ext) Malad (West) Bombay-400064	Switches for domestic and similar purposes (first revision) (Amendments 3)	IS 03854 : 88
36	7071260	95/03	Dattatraya Cables Pvt. Ltd. A-2/3 MIDC Kalmeshwar Distt. Nagpur	Aluminium conductors for overhead transmission purposes: Part 1 Aluminium stranded conductors (second revision) (Amendment 1)	IS 00398 : 76 Part 01
37	7070864	95/03	Kooverji Devshi & Co. Pvt. Ltd. B. aktakavi Shivjibhai Pevshi Marg Govandi Works Nr. Govandi Rly. Stn. Bombay-400088	Refills for portable fire extinguishers and chemical fire engines: Part 2 For foam type portable fire extinguishers (first revision) (Amendments 2)	IS 05490 : 77 Part 02
38	7072464	95/03	Kooverji Devshi & Co. Pvt. Ltd. Bhakcakavi Shivjibhai Pevshi Marg Govandi Works Nr. Govandi Rly. Stn. Bombay-400088	Fire extinguisher, carbon dioxide type (portable and trolly mounted (second revision) (Amendment 1)	1S 02878 : 86
39	7072161	•	Shivanand Industry Shivaji Road Latur-413 512	Monoset pumps for clear, cold water for agricultural purposes (first revision) (Amendment 2)	IS 09079:89
40	7071765	,	Voltas Ltd. Village Majara Tehsil Warora Distt. Chandrapur	Irrigation equipment—strainer type filters (Amendment 1)	IS 12785 : 89
41	7074 670	·	Gopal Industries 386/6 Near G D High School Saijpur Bogha Naroda Road Ahmebaad-382345	Submersible pumpsets (first revision) (Amendments 3)	IS 08034 : 76
42	7072868	,	JKBM Ltd. 133-134, GIDC Industrial Estate Ankleshwar Bharuch-393002	Thiram water dispersible powder (first revision) (Amendment 1)	IS 04766 : 82

1 2	3	4	5	6
43. 7073567	95/03	Pioneer Plastics Industries B-1 GIDC Odhav Industrial Township Odhav Road, Ahmedabad	Unplasticised PVC pipes for potable water supplies (second revision) (Amendment 1)	IS 04985 : 88
44. 707316.	3 95/03	Diamond Cables 5/12, Industrial Estate Gorwa Road, Bared 3-390 016	PVC Insulated cables for working voltages upto and including 1100 V (third revision) (Amendment No. 1 to	IS 00694 ; 90
45. 7073264	95/03	Diamond Cables 5/12 Industrial Estate Gorwa Read Baroda-390 016	PVC insulated (heavy duty) electric cables: Part 1 for working voltages upto and including 1100 V (Third revision)	IS 01554:88 Part 01
46. 7072767	95/03	Gajambuja Cement (A Unit of Gujarat Ambuja Cements) Ambunangar Kodinar Taluka Amreli District-362715	Masonary cement (second revision) (Amendment 1)	IS 03466 : 88
47. 7073466	95/03	Gujarat Krishichem Corpn, C-5/185, GIDC Vapi (Distt. Bulsar)	Isoproturon, WP	IS 11995 : 87
48. 7072363	95/03	Kundan Pestichem Plot No. 3753, Phase IV GIDC Vatva, Ahmeda- bad-382 445	Endosulfan emulsifiable concentrates (first revision) (Amendments 2)	IS 04323 : 80
49. 7072565	95/03	Lupin Agro Chemicals (India) Pvt. Ltd. 242/P GIDC Panoli Distt. Bharuch	Mancozeb water dispersible powder concentrates (Amendment 1)	IS 08708:78
50. 7073769	95/03	United Phospl.orous Ltd. A-2/2, G1DC Vapi (Gujarat)	Directhoate emulsifiable concentrates (second revision), (Amendment 1)	IS 03903:84
51. 7073870	95/03	United Phosphorous Ltd. A-2/2, GIDC Vapi (Gujarat)	Carbendazim (MBC) water dispersible powder concentrates (first revision)	IS 08446 : 91
52, 7073365	95/03	Vij y Industries E-4, Patel Indl. Estate Yamuna Mill Road, Baroda-390004	33 Grade ordinary portland cement (fourth revision) (Amendments 3)	IS 00269:89
53. 9081374	95/03	Anu Products Limited Tigaon Road, Old Faridabad Faridabad (Haryana) Haryana-121002	Isoproturon, WP	IS 11995 : 87
54. 5042748	95/03		Zinc suiphate, agricultural grade (Amendments 2)	IS 08249: 76
55, 6075061	95/03	Karnataka Lamps Industries B-66, 2nd Cross	Tungsten filament general service electric lamps (third revision) (Amendments 7)	IS 00418:78

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4/40			E OF INDIA : OCTOBER 4,		ART IISEC. (II)]
(1)	(2)	(3)	(4)	(5)	(6)
56.	5041443	95/03	Asimco 22 Amalangshu Sen Road Calutta-700048	Disinfectant fluids, black and white (third revision)	JS 01061 : 82
57.	5042243	95/03	Bengal Cement Company Ltd. Dakshin Rajdharpur Delhi Road P.S. Scrampur Hooghly	Portland slag cement (fourth revision) (Amendments 3)	IS 00455 : 89
584	5042647	95/03	Deflame (India) 58 B.T. Road Calcutta-700 004	Refills for portable fire extinguishers and chemical fire engines: Part 2 For foam type Portable fire extinguishers (first revision) (Amendments 2)	JS 05490 : 77 Part 02
59,	5042546	95/03	Rasko Chemical Industries 62 Mahatma Gandhi Road Calcutta-700 082	Disinfectant fluids, black and white (third revision)	IS 01061:82
60.	5043144	95/03	Rajput Steel Complex Pvt Ltd. 58, Gowshala Road Liluah Howrah	Kadahies	IS 04109:67
61.	5041342	95/03	United Steel Company P.O. Benapur Kharagpore Dist. Midnapur (West Bengal)	High strength deformed steel bars and wires for concrete reinforce- ment (Third revision) (superseding IS:1139-1966) (Amendment No. 1)	IS 01786 : 85
62.	5041544	95/03	Bengal Iron Corporation Ashutosh Ghosh Road Jagadha Howrah	Cast iron rainwater pipes and fittings (Second revision) (Amendment 1)	IS 01230 : 79
63.	5042849	95/03	Balmer Lawrie & Co. Ltd. P 4/1, Oil Installation Road Calcutta -700 088	Drums, large, fixed ends, Part 1 Grade A drums (Third revision)	IS 01783:93 Part 01
64.	5042344	95/03	Delta Jute & Industries Ltd. Manickpore P.O. Deitamills-711309	Jute bags for packing foodgrains 50 kg	IS 12650 : 89
65 ₉	5042142	95/03	Hooghly Mills Co. Ltd. (Unit Waverly Jute Mill) P.O. Athpur Distt, 24 Parganas	Jute bags for packing foodgrains 50 kg	IS 12650 : 89
66.	5042950	95/03	Hooghly Mills Co. Ltd. Unit Gondalpara Jute Mill (Unit Gladal Phase Jute Mills) Distt. Hoogly, WB Gondalpar-712137	Jute bags for packing foodgrains 50 kg.	IS 12650 : 89
67 ₄	, 5041645	95/03	J.D. Casting & Forgings (P) Ltd. Banaras Road Kona Howrah	Sand cast iron spigot and socket soil waste and ventilating pipes, fitting and accessories (first revision) (Amendment 3)	IS 01729 : 79
68 _e	5042041	95/03	Kelvin Jute Co. Ltd. 24, Park Road P.O. Talpukur Distt. 24 Parganas	Jute bags for packing foodgrains 50 kg.	IS 12650 : 89

1	2	3	4	5	6
69	5041746	95/03	I remier Irrigation Equipment Pw. Ltd. P.O. Boral Distt. 24-Parganas	Irrigation equipment - emitters	IS 13487 : 92
70	5041847	95/03	Jaiswal Plastics Tubes Ltd. Januganj Palasore (Orissa)	Unplasticized PVC screen and casing pipes for bore/tubewell (first revision)	IS 12818 : 92
71	5043043	95/03	Konark Jute Ltd. Dhanmandal Distt. Cuttack	Jute bags for packing foodgrains 50 kg	IS 12650 : 89
72	5041948	95/03	Neelachal Plastics Pvt. Ltd. Plot No. 1A Chandaka Nucleaus Complex Sector 8. Patia Bhubaneshwar-751031	Unplasticized PVC screen and casing pipes for bore/tubewell (first revision)	IS 12818 : 92
73	5042445	95/03	Ravi He-Tech Ltd. NS-6/7 V Phase Adityapur Industrial Area Gamheria Jamshedpur-832 108	High strength deformed steel bars and wires for concrete reinforce- ment (Third revision) (superseding IS;1139-1966) (Amendment No. 1)	IS 01786 : 85
74	6074665	95/03	Sudhir Control Gear and Lighting Equipments (P) Ltd. Unit No. 7 & 8, Block No. 2, Dr. Jayalalitha Electronics Complex, Guindy Madras-600 032	Flameproof enclosures for electrical apparatus (second revision) (Amendment Nos. 2)	IS 02148 : 8J
75	6074968	95/03	Techno-Futura Ltd. 400/2A, 2B, Chettipunniyam G.S.T. Road Chengai-MGR Distt. Tamil Nadu-603204	Solar flat plate collector: Part 1 Requirements (first revision) (Amendments 2)	1S 12933 : 92 Part 01
76	6075566	95/03	Venkateswara Cements Ltd. Nachiyarpet Village Managathi Udayarpalayam Taluk Trichy Distt (Tamil Nadu) 621804	43 grade ordinary Portland cement (first revision) (Amendments 3)	1\$ 08112 : 78
77	6075465	95/03	Alagappa Cements Pvt. Ltd. Keelapalyvar-621 707 Ariyalur Taluk Trichy Dt.	43 grade ordinary Portland coment (first revision) (Amendments 3)	IS 08112 : 78
78	6075364	95/03	ITW Signode India Limited 30-1, IDA Moula Ali Hyderabad-500040	Cold rolled steel strips (box strappings) (second revision)	IS 05872 ₹ 73
79	6075162	95/03	Navmani Manufacturing Co. 32, Nava India Road Peclmedu Coimbatore-641 004	Monoset pumps for clear, cold water for agricultural purposes (first revision) (Amendments 2)	IS 09079 : 89
80.	7071563	95/03	Movilex Irrigation Ltd. Gate No. 41, Kusgaon Post Khed Shivapur, Tal. Bhor Punc District 412 205.	High density polyethylene pipes for potable water supplies; sewage and industrial effluents (third revision).	IS 04984 : 87
81.	9081879	95/03	Sagar Electrodes (P) Ltd. Radha Nagar Khambhapur Fatehpur.	Covered electrodes for manual metal are welding of carbon and carbon manganese steel (Fifth revision).	IS 00814:91
82.	9079791	95/03	Balaji Steel Tubes and Pipes Ltd. 37 Th Km. Stone Jainpur Industrial Area Kanpur Dehat.	Mild Steel tubes tubulars and other wrought Steel fittings.	IS 01239 1 90

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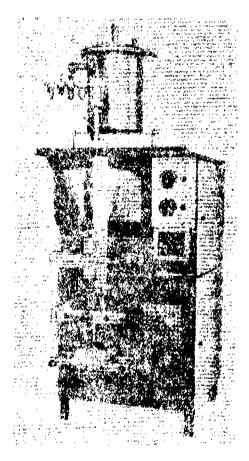
1	2	3	4	5	5
83.	8090875	95/03	Arun Manufacturing Co. 169, Karawal Nagar Delhi-110 094.	PVC Insulated cables for working voltages upto and including 1100V. (third revision) (Amendment No. 1 to 4).	IS 00694: 90
84.	8092778	95/03	Hear Narain Tubes WZ-754 A, Sudershan Park New Delhi-110 015.	Water meters (domestic type) (Fifth revision) (Amendment 3)	IS 00779 : 78
85.	8091473	95/03	Har Narain Tubes WZ-754 A, Sudershan Park, New Delhi-110 015.	Domestic gas stoves for use with liquified petroleum gases (fourth revision).	IS 04246 : 92
86.	8091574	95/03	Har Narain Tubes WZ-754, A, Sudershan Park New Delhi-110 015.	Steel door frames (first revision) (Amendment 1).	IS 04351 : 76
87.	8090471	95/03	Safety Appliances WZ-513 A First Floor Basai Darapur New Delhi-110 015.	Electric irons (fourth revision)	IS 00366 : 91
88.	8092273	95/03	Vidyut Udyog B-71/3.Wazirpur Indl. Area Delhi-110 052.	Stationary storage type electric water heaters (third revision) (Amendment 1).	IS 02082 : 93
89.	8091372	95/03	Arun Manufacturing Co. 169, Karawal Nagar Delhi-110 094.	PVC insulated (heavy duty) electric cabless Part 1 for working voltages upto and including 11008V. (Third revision).	IS 01554 : 88 PART 01
90,	8092172	95/03	Batra Enterprises L-156, A, Lakshman Puri Ram Nagar New Delhi-110 055.	Electric instantaneous water heaters (second revision) (Amendment 1).	IS 08978 : 92
91.	8090976	95/03	Champion Electrical Inds. A-37, G.T. Karnal Road, Indl. Area Delhi-110 033.	Safety of household and similar Electrical appliances: Part 2 Particular requirements.	IS 00302 : 92 PART 02 SEC 03
92.	8091069	95/03	Malhotra Electricals Industries 6/3, Singh Sabha Road Subzi Mandi Delhi-110 007.	Safety of household and similar electrical appliance: Part 2 Particular requirements.	IS 00302: 92 PART 02 SEC 03
93,	8092475	95/03	Shital Electricals WP-1, Wazirpur Village Ashok Vihar Delhi-11 0052.	7.7	IS 00302 : 92 PART 02 SEC 210
94.	8091170	95/03	B-65, Khasra No. 38	Safety of household and simi- ar electrical appliances; Part 2 Particular requirements.	IS 00302 : 92 PART 02 SEC 03

1	2	3	4	5	6
95.	8092374	95/03	Suri Enterprises 662/8 Ghati Marg Punjabi Basti Anand Parbat, New Delhi-110 006.	Electric immersion water heaters (fourth revision).	IS 00368 :92
96.	8090774	95/03	Technomatic 35, Masjid Lane Jangpura Bhogal Market New Delhi-110 014.	Safety of household and similar electrical appliances; Part 2 Particular requirements	IS 00302: 92 PART 02 SEC 03
97.	8092071	95/03	Kudos Rubber Udyog 567-Sector III Pithampur Dhar Pithampur.	Flexible rubber tubing for liquefied petroleum gas (first revision) (Amendment 1).	TS 10908 :91
98.	8090572	95/03	Naveen Tachnocrates Pvt. Ltd Opp. Industrial Area, Gahara Nala Near Yadav Dharamkanta Rewa Road Satna Satna-485 001.	l. Submersible pumpsets (first revision) (Amendment 3)	IS 08034 : 89
99.	8093982	95/03	S.S. Crop Care Limited Shed No. 10 Industial Estate Govindpura Bhopal-462023	Pesticide dodine-WP	IS 13785 :93
100.	8091877	95/03	Diamond II Imlai Distt. Damoh Madhya Pradesh.	43 grade ordinary Portland cement (first revision) (Amendment 1873)	fS 08112 : 89
101.	8091978	95/03	Diamond II Imali Distt. Damoh Madhya Pradesh.	Portland pozzolana cement Part 1 Flyash based (third revision)	IS 01489 : 91 PART 01
102.	8090673	95/03	Pluton cements Pvt. Ltd. Plot No. 52-54 A, Pithampur Indl. Area No. 3 Bagdoon Distt. Dhar.	43 grade ordinary Portland cement (first revision) (Amendment:3)	IS 08112 : 89
103.	8091271	95/03	Sheel Chemical Industries A.B. Road Bahodapur Janaktal Gwalior Gwalior-474 001.	Disinfetant fluids, black and white (third revision)	IS 01061 : 82

खाध और उपभोक्त मामले मंत्रालय उपभोक्ता-मामले-विभाग नई दिल्ली, 18 सितम्बर, 1997

का.आ. 2486-----केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत की गई रिपोर्ट (नीचे आकृति देखिए) पर बिचार करने के पण्चात् समाधान हो गया है कि उक्त रिपोर्ट में वर्णित माडल बाट ग्रौर माप मानक ग्रधिनियम, 1976(1976 का 60) ग्रीर बाट और माप मानक (माइल का श्रनुमोदन नियम, 1987 के उपबन्धों के श्रनुरूप है और इस बात की संभावना है कि वह लगातार प्रयोग की भ्रवधि में यथार्थता बनाये रखेगा भीर विभिन्त परिस्थितियों में उपयुक्त सेवा देता रहेगा;

अतः अब केन्द्रीय सरकार उक्त अधिनियमं की धारा 36 उपधारा (7) द्वारा प्रदत्त मिक्तियों का प्रयोग करते हुए स्वचालित भरण श्रीर पैकिंग मंगीन के सांडल का जिसका ब्रांड नाम' फिलिपैक 1200 है (जिस इसमें इससे इसके षण्चात् माङल कहा गया है) जिसका विनिर्माण मैसर्स टैटरा पैक नाईकोम(इंडिया) लिमिटेड, ४६, डा. ग्रम्बङकर मार्ग संगम सेतु के निकट, पुणे -411001, महाराष्ट्र राज्य द्वारा किया गया है श्रीर जिसे श्रनुमोदन चिन्ह श्राई एन. डी./09/96/46 समन्दिष्ट किया गया है श्रनुमोदन प्रमाणपत्न प्रकाशित करती है।



(भ्राकृति)

माडल (श्राकृति देखिए) एक स्वचालत श्रायननी भरण श्रीर पैकिंग मशीन है यह स्थिर शीर्घ के नीचे गरुस्वीय भरण के सिद्धांत पर व्यय करता है । वितरित द्रव्य की मात्रा प्रवाह दर श्रौर समय का उत्पाद है । पाइप में से प्रवाहित होने वाले ब्रय्य का वेग द्रय्य के शीर्ष के श्रनुपात में होगा जो कि स्थिर रखा जायेगा । विवरण वाह**ध** यांतिकक्तव किस्टल नियंतित घड़ी यांतिक्त्व से विनययिता होता है। मणीन का समायोजन 0.5% यथार्थता तक प्रति मिनट 60 मिलीलीटर श्रीर 1 हजार मिलीलीटर के बीच किसी भी रेंज पर परिदान करने के निये किया जा सकता है। मगीन का निर्गम 1200 पाउच प्रति घंटा है । भरण और विसर्जन वायु प्रचालित कपाटों के मध्यम से गुरुवीय पढ़ित से किया जाता है मणीन दूध और श्यान द्रष्यों पीने के लिय तैयार द्रथ्यों वनस्पति तेलों को भरने के लिये डिजाइन की गई है । यह मणीन 400-440 वोल्ट श्रीर 50 हर्टज श्राकृति पर 3 फैस प्रत्यावित्त धारा विद्युत शक्ति प्रवाय पर कार्य करती है।

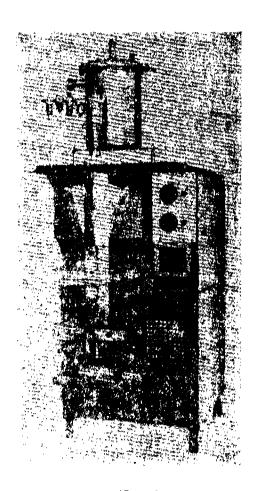
> [फा.सं. डक्स्यू. एम 21(20), 96] राजीव श्रीवास्तव, संयुक्त सचिव

MINISTRY OF FOOD AND CONSUMER AFFAIRS

(Department of Consumer Affairs) New Delhi, the 18th September, 1997

S.O. 2486.—Whereas, the Central Government afetr considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of the automatic filling and packing machine with brand name "FILPACK 1200" series, (hereinafter referred to as the model) manufactured by M/s. Tetra Pak Nichrome (India) Limited, 46, Dr. Ambedkar Road. Near Sangam Bridge, Pune-411 001, Maharashtra State, and which is assigned the approval mark IND/09/96/47.



(figure)

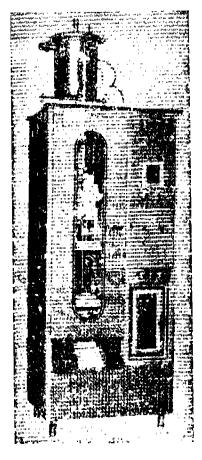
The Model (see figure) is an automatic filling and packing machine. It works on the principle of gravity feed under constant head. The quantity of liquid dispensed is the product of flow-rate and time. The velocity of liquid flowing through a pipe is proportional to the head of the liquid, which is kept constant. The dispensing value mechanism is regulated by a crystal controlled clock mechanism. The machine can be adjusted to deliver any range between 60 ml. and 1000 ml. to an accuracy of 0.5%.

The machine out put is 1200 puches per hour. Feed and discharge is carried out by gravity method through pneumatically operated gates. The machine is designed for filling milk and viscous liquids, ready to drink liquids, vegetable oils. The machine works on 3 phase a.c. electrical power supply at 400-440 volts and frequency 50 Hertz.

IFile No. WM 21(20),'96) RAJIV SRIVASTAVA, Jt. Secy. ुनुई दिल्ली; 18 सितम्बर, 1997

का या 2487 केन्द्रीय सरकार का विहित प्राधिकारी द्वारा उसे प्रस्तुत की गई रिंपीटे (नीचे प्राकृति देखिए) पर विचार करने के पर्ण्यात्, समाधान हो गया है कि उक्त रिपोर्ट में बिंगित माडल बाट और माप मानक प्रधिनियम, 1976 (1976 को 60) और बाट और माप मानक (माडल का अनुसोदन) नियम, 1987 के उपबन्धों के प्रमुख्य है और इस बात की संभावना है कि वह लगातार प्रयोग की अविध में यथार्थता बनाय रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा देता रहेगा;

श्रतः श्रव केन्द्रीय सरकार, उक्त श्रधिनियम की धारा 36 उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए स्वकालित भरण श्रौर पैकिंग मशीन के माडल का जिसका कांड नाम फिलिपैक 2500" है (जिसे इसमें इसके पश्चात् माडल कहा, गया है) जिसका विनिर्माण मैसर्स टैटरा नैक नाईकोम (इंडिया) लिमिटेड, 46, डा. श्रम्बडकर मार्ग, संगम सेतु के निकट, पूणे -411001, महाराष्ट्र राज्य द्वारा किया गया है श्रौर जिसे श्रनुमोदन चिन्ह श्राई. एन.डी./09/96/47 समनुदिष्ट किया गया है, श्रनुमोदन प्रमाणपत प्रकाशित करती है।



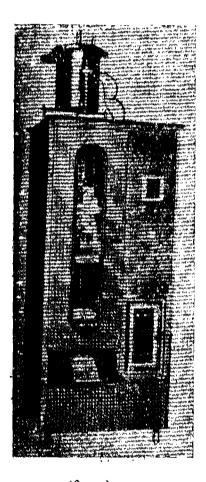
(भ्राकृति)

माडल (श्राक्टित देखिए) एक स्थवालित श्रायतंशी भरण ग्रीर पैकिंग मंगीन है यह स्थिर शीर्ष के नीचे गुरुखीय भरण के सिद्धांत पर व्यय करता है। वितारत द्वथ्य की माद्धा श्रात दर ग्रीर समय का उत्पाद है। पाइप में से प्रवाहित होने धाले द्वव्य का बेंग द्वाय के कि कि माद्धा श्रात दर ग्रीर को कि स्थिर रखा जायगा। विवरण बाल्व यांत्रिकत्व किस्टल नियंद्रित चड़ी यांतिकत्व से विनर्धामत होता है। मंगीन का समायोजन 0.5% यथार्थता तक प्रति मिनट 60 मिलीलीटर श्रीर 1 हजार मिलीलीटर के बीच किसी भी रेंज पर परिदान करने के लिये किया जा सकता है। मंगीन का निर्णम 2500 पाउच प्रति घंटा है। भरण श्रीर विरार्जन वायु प्रचालित कपाटों के माध्यम से गुरुत्वीय पद्धति से किया जाता है। मंगीन, दूब और एयान द्वव्यों, पीने के लिए तैयार द्वव्यों, बनस्पित तेलों को भरने के लिए विजाइन की सर्च है। यह मंगीन 400-440 बोल्ट श्रीर 50 हर्ट्ज श्राकृति पर 3, फैस प्रत्यावृत्ति धारा विद्युत् शक्ति प्रदाय पर कार्य करती है।

[फा.सं. डब्स्यू. एम 21(20)/96] राजीव श्रीवास्तव, संयुक्त सचिव New Delhi, the 18th September, 1997

S.O. 2487.—Whereas, the Central Government after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see figure given below) is in formity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Covernment hereby publishes the certificate of approval of the Model of the automatic filling and packing machine with brand name "FILPAÇK 2500" series, (hereinafter referred to as the model) manufactured by MIs. Tetra Pak Nichronic (India) Limited, 46, Dr. Ambedkar Road, Near Sangam Bridge, Pune-411001, Maharashtra State, and which is assigned the approval mark IND/09|96|47;



(figure)

The Model (see figure) is an automatic filling and packing machine. It works on the principle of gravity feed under constant head. The quantity of liquid dispensed is the product of flow-rate and time. The velocity of liquid flowing through a pipe is proportional to the head of the liquid, which is kept constant. The dispensing value mechanism is regulated by a crystal controlled clock mechanism. The machine can be adjusted to deliver any range between 60 ml. and 1000 ml. to an accuracy of 0.5%.

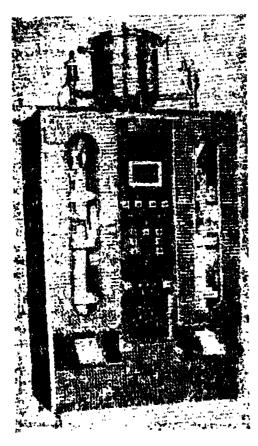
The machine out put is 2500 puches per hour. Feed and discharge is carried out by gravity method through pneumatically operated gates. The machine is designed for filling milk and viscous liquids, ready to drink liquids, vegetable o'ls. The machine works on 3 phase a.c. electrical power supply at 400-440 volts and frequency 50 Hertz.

IFile No. WM 21(20)/961 RAJIV SRIVASTAVA, Jt. Secy.

नई दिल्ली, 18 सिसम्बर, 1997

का.भा. 2488.--केन्द्रीय सरकार का वहित प्राधिकारी द्वारा से प्रस्तुत की गई रिपोर्ट (नीचे ब्राकृति देखिए) पर विचार करने के पश्चास्, समाधान हो गया है कि उक्त रिपोर्ट में विणित माइल बाट ग्रांर भाप मानक अधिनियम 1976 (1976 का 60) और बाट भीर माप मानक (माडल का श्रनुमोदन) नियम, 1967 के उपबन्धों के अनुरूप है श्रीर इस बात की संभावना है कि बह लगातार प्रयोग की अवधि में यथार्थता बनाये रखेगा और विभिन्न परिस्थितियों में उपयक्त सेवा देता रहेगा ।

श्रतः श्रव केन्द्रीय सरकार, उक्त श्रधिनियम की धारा 36 उपधारा (7) द्वारा प्रवत्त शक्तियों का प्रयोग करते हुए स्वचालित भरण ग्रौर पैंकिंग मशीन के माडल का जिसका ब्रांड नाम "फिलिपैक 5000" है (जिसे इसमें इसके पश्चात् माडल कहा गया है) जिसका विनिर्माण मैसर्स टटरा पैक नाईकोम (इंडिया) लिमिटेड 46 डा. श्रम्बेडकर मार्ग, संगम सेत् के निकट पुणे-411001 महाराप्ट्र राज्य द्वारा किया गया है ग्रीर जिसे श्रनुमोदन चिन्ह ग्राई.एन.डी./09/96/48 समन्दिष्ट किया गया है श्रन्मोदन प्रमाणपन्न प्रकाशित करती है।



(ब्राकृति)

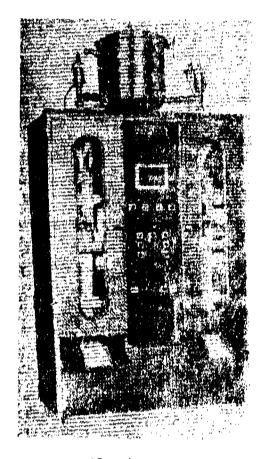
माउल (ब्राकृति देखिए) एक स्थचालित श्रायतनी भरण और पंकिंग मशीन है यह स्थिर शीर्ष के नीचे गुरूत्वीय भरण के सिद्धांत पर ब्यय करता है । वितरित प्रव्य की माला प्रवाह दर और समय का उत्पाद है । पाइप में से प्रवाहित होने वाले द्रव्य का वैग द्रव्य के शीर्ष के ब्रनुपात में होगा जो कि स्थिर रखा जायेगा । विवरण वास्य यांत्रिकत्य किस्टल नियंत्रित घड़ी यात्रिकत्य से विजयमित होता है। मशीन का समायोजन 0.5% यथार्थता तक प्रति मिनट 60 मिली-सीटर अभैर 1 हजार मिसीलीटर के बीच किसी भी रेंज पर परिदान करने के लिये किया जा सकता है। मशीन का निर्गम 2500 पाउच प्रति घंटा है। भरण ग्रांर विसूर्जन वायु प्रचालित कपाटों के माध्यम से गुरूवीय पद्धति से किया जाता है। भशीन, दूध और श्यान द्रव्यों, पीने के लिए तैयार द्रव्यों, वनस्पति तेलों को भरने के लिये डिजाइन की गई है। यह मशीन 400-440 बोल्ट और 50 हर्टज आकृति पर 3 फेस प्रत्यावृत्ति धारा विद्युत् शक्ति प्रदाय पर कार्य करती है।

> [फा.सं. डब्स्यू. एम 21(20)/96)] राजीव श्रीवास्तव, संयुक्त सचिव

New Delhi, the 18th S ptember, 1997

S.O. 2488.—Whereas, the Central Government after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see figure given below) is in formity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions

Now, therefore, in exercise of the powers conferted by sub-section (7) of section 36 of the said Act, the Central Covernment hereby publishes the certificate of approval of the Model of the automatic filling and packing machine with brand name "FILPACK 5000" series, (hereinafter referred to as the model) manufactured by M/s. Tetra Pak Nichrome (India) Limited, 46, Dr. Ambedkar Road, Near Sangam Bridge, Pune-411 001, Maharashtra State, and which is assigned the approval mark IND/09/96/148;



(figure)

The Model (see figure) is an automatic filling and packing machine. It works on the principle of gravity feed under constant head. The quantity of liquid dispensed is the product of flow-rate and time. The velocity of liquid flowing through a pipe proportional to the head of the liquid, which is kept constant. The dispensing valve mechanism is regulated by a crystal controlled clock mechanism. The machine can be adjusted to deliver any range between 60ml and 1000ml to an accuracy of 0.5%. The machine out put is

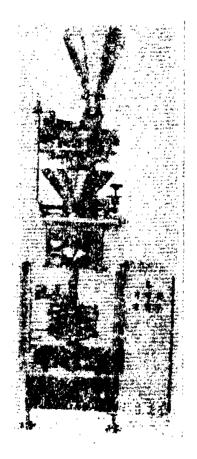
2500 puches per hour. Feed and discharge is carried out by gravity method through pneumatically operated gates. The machine is designed for filling milk and viscous liquids, ready to drink liquids, vegetable oils. The machine works on 3 phase a.c. electrical power supply at 400—440 volts and frequency 50 Hertz.

[File No. WM 21 (20)]96] RAJIV SRIVASTAVA, Jt. Secy.

नई दिल्ली, 18 सितम्बर, 1997

का. था. 2489. ---केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत की गई रिपोर्ट (नीचे प्राकृति देखिए) पर विचार करने के पश्चात, समाधान हो गया है कि उन्त रिपोर्ट में विणित माइल बाट और माप मानक श्रिधिनियम 1976 (1976 का 60) श्रीर बाट श्रीर माप मानक (माडल का श्रनुमोदन) नियम 1987 के उपबन्धों के श्रनुरूप है श्रीर इस जात की संभावना है कि वह लगातार प्रयोग की ग्रवधि में यथार्यता अताये रखेगा ग्रीर विभिन्न परिवर्तित दशाग्रों में उपयुक्त सेवा देता रहेगा;

अतः अब केन्द्रीय सरकार उक्त, अधिनियम की धारा 36 उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए स्वचालित भरण ग्रीर पैकिंग मशीन के माडल का जिसका ब्रांड नाम "विग विवाद कप फिलर" "शृंखला" (जिसे इसमें इसके पश्चात् माडल कहा गया है) जिसका विनिर्माण मैसर्स टैटरा पैक नाईक्रोम (इंडिया) लिमिटेड 46 डो. श्रम्बेडकर मार्ग संगम सेतु के निकट पुण-411001 महाराष्ट्र राज्य द्वारा किया गया है ग्रीर जिसे अनुमोदन जिन्ह शाई.एन.डी./09 96/50 समनुदिष्ट किया गया है अनुमोदन प्रमाणपक्ष प्रकाशित करती है।



(ब्राकृति)

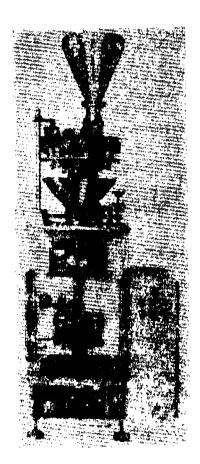
भाडल (ब्राकृति देखिए) एक स्थचालित श्रायतनी भरण श्रौर पैंकिंग मशीन है जो पिसे चाय काफी श्रादि जैसे सप्रवाही चूर्ण और कणिकार्ये भरने के लिय उपयुक्त है। मशीन 6 कप है जो 2 गोलाकार प्लेटों के ऊपर लगे हुए हैं ग्रीर प्रत्येक कप के तले में कपाट व्यवस्था है जो कि दूरदर्शीय प्रकृति की है। भरण कप की माला एक ऊंचाई समायोजी पेच की सहायका से समायोजित की जाती है। प्रचालन के समय प्रत्येक चक्र के दौरान उत्पाद की नियत मान्ना वितरित होती है। मशीन की भरण रेंज 10सी सी से 300 सी.सी. है श्रीर 0.5% की यथार्यता तक प्रति मिनट अधिकतम् उत्पाद दर 60 पाउच है। महीन 400-440 बोल्ट भीर 50 हर्टज ग्रावृत्ति पर 3 फेस प्रस्यावृत्ति धारा विद्युत् शक्ति प्रवाय पर कार्य करती है।

> [फा.सं. रूप्त्रं, एम. 21(20),96)] राजीय श्रीयास्तव संयक्त सनिव

New Delhi, the 18th September, 1997

S.O. 2489.—Whereas, the Central Government after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see figure given below) is in conforminty with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions:

Now, therefore, in exercise of the powers conferred by sus-section (7) of section 36 of the said Act, the Central Government hereby reliables the certificate of approval of the Model of the automatic filling and packing machine with brand name "Wing with cup upfiller" series, (hereinafter refrred to as the model) manufactured by M/s. Tetra Pak Nichrome (India) Limited, 46, Dr. Ambedkar Road, Near Sangam Bridge, Pune-411 001, Maharashtra State, and which is assigned the approval mark INLI/09 |96|50;



(figure

The Model (see figure) is an automatic volumetric filling and packing machine surtable for filling free flowing powders and gramules like tea, coffee etc. The machine consists of six cups mounted between two round plates having a flar arrangement at the bottom of each cup, which are telescopic in nature. The volume of the filling up is adjusted with the help of a height adjusting screw. During operation, a fixed

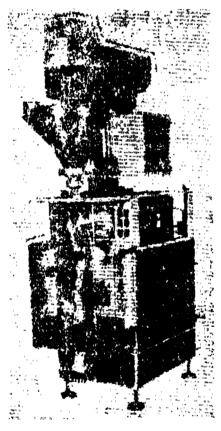
volume of the product is dispensed during each cycle. The machine has a filling range from 10 cc to 300 cc with maximum output rate of 60 pouches per minute to an accuracy, of 0.5%. The machine works on 3 phase a.c. electrical power supply at 400—440 volts and frequency 50 Hrtz.

[F. No. WM 21+20)|96] R.\JIV SRIVASTAVA, Jt. Secv.

नई बिल्ली, 18 सितम्बर, 1997

का.मा. 2490.--केन्द्रीय सरकार का विहिता प्राधिकारी द्वारा उसे प्रस्तुत की गई रिपोर्ट (नीचे ब्राकृति देखिए) पर बिजार करने के पंथ्यात् समाधान हो गया है है कि उक्न रिपोर्ट में बर्णित भाडल बाट और माप मानक अधिनियम 1976 (1976 का 60) और बाट और भाप मानक (माङ्ग का अनुमोदन) नियम 1987 के उपबन्धों के अनुरूप है और इस बात की संभावना है कि वह लगातार प्रयोग की भ्रवधि में प्रयार्थना बनाये रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा देता रहेगा :

ंग्रत: ग्रव केन्द्रीय सरकार उक्त ग्रधिनियम की धारा 36 उपधारा (7). द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए स्वचालित भरण और पैकिंग मणीन के माङल का जिसका ब्रांड नाम "विंग विद श्रागर" (जिसे इसमें इसके पश्चात् माडल कहा गया है) जिसका विनिर्माण मैंसर्स टैटरा पैक नाईकोम (इंडिया) लिमिटेड 46 डा. ब्रन्बेडकर मार्ग संगम सेतु के निकट पुणे-411001 महाराष्ट्र राज्य द्वारा किया गया है श्रीर जिसे अनुमोदन चिन्ह आई. एन. डी. 09/96/51 समनुदिष्ट किया गया है अनुमोदन प्रमाणपत्न प्रकाशित करती है।



(भ्राकृति)

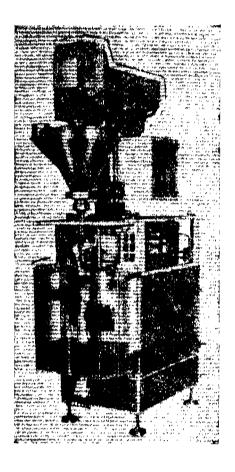
माइल (ब्राकृति देखिए) एक स्वचालित भायतनी भरण भीर पैकिंग मशीन है जो पिसे मसाले दूध चूर्ण, दन्त मन्जत ग्राटा ग्रादि जैसे परिष्कृत चूर्णों को भरने के लिये उपयुक्त है। मशीन मूलत: एक पेच वाहक है ग्रौर पेचवाहक सिद्धांत पर प्रचालित होती है। पेच से एक चूणित के दौरान एक चूड़ी की लम्बाई के बीच प्रगृहीत उत्पाद की माला वितरित होती है। एक सकर के दौरान वितरित कुल उत्पादन पेच ढारा किये गये। धूर्णतों की संदेश पर प्राधारित है। प्रति चक जितरित होने वाली मात्रा आगर पैच के धूर्णन के नियंत्रण से नियंत्रित की जासकती है । मशीन की भरण रेज 2 ग्राम से 125 ग्राम या 5 सी.सी. से 300 सी.सी. है जो ग्रागर पेच के ग्राकार पर निर्भर है। मशीन का ग्रिधिकतम उत्पाद दर . 0.5% प्रथार्थता सक प्रति मिनट 60 पाउच है। यह मशीन 400-440 बोल्ट फ्रॉर 50 हर्टज पर उफीम प्रत्यावृति धारा विद्युप्त शक्ति प्रदाय पर कार्यकरती है।

> [फा.सं. इब्स्यू. एम 21(20)/96)] राजीव श्रीवास्तव, संयुक्त सचिव

New Delhi, the 18th September, 1997

S.O. 2490.—Whereas, the Central Government after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976), and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the Model of the automatic filling and packing machine with brand name "Wing with Auger" series, (hereinafter referred to as the model) manufactured by M/s. Tetra Pak Nichrome (India) Limited, 46 Dr. Ambedkar Road, Near Sangam Bridge, Pune-411 001. Maharashtra State, and which is assigned the approval mark IND|09|96|51.



(figure)

The Model (see figure) is an automatic volumetric filling and packing machine suitable for filling fine powders like ground spice, milk powder, tooth powder flour etc. The machine is basically it screw conveyor and operates on screw conveyor principle. During one rotation of the screw volume of the product trapped between one pitch length is dispensed. The total product dispensed during a cycle depends upon the number of revolutions of the screw advanced. The quantity dispensed per cycle is controlled by controlling the rotation of the Auger screw. The 2357 GI|97-7

machine has a filling range from 2g to 125g or 5 cc, to 300 cc, depending on the size of the Auger Screw. The machine has a maximum output rate of 60 pouches per minute, to an accuracy of 0.5%. The machine works on 3 phase a.c. electrical power supply at 400—440 volts and frequency 50 Hertz.

[File No. WM 21(20)/96] RAJIV SRIVASTAVA, Jt. Secy.

कोबला मंत्रालय

मई दिल्ली, 22 सितम्बर, 1997

का. आ. 2491. - केन्द्रीय सरकार को यह प्रतीत होता है कि इससे उपायद्व अनुसूची में उल्लिखित भूमि में कोयला श्रभिप्राप्त किये जाने की संभावना है;

भ्रतः, ग्रब, केन्द्रीय सरकार कोथला धारक क्षेत्र (ग्रर्जन ग्रीर विकास) ग्रधिनियम, 1957 (1957 का 20) (जिसे इसमें इसके पण्चात् उक्त अधिनियम कहा गया है) की धारा 4 की उपधारा (1) द्वारा प्रदत्त गक्तियों का प्रयोग करते हुए, उस क्षेत्र में कोयले का सर्वेक्षण करने के भ्रपने धाशय की सुचना देती है।

इस ग्रधिसुचना के मन्तर्गत माने वाले क्षेत्र की रंक्षांक सं. सी.−1(ई)3/जे.जे. एन.श्रार./630-0697, तारीख: 19 जन, 97 का निरीक्षण वैस्टर्न कोलफील्ड्स लिमिटेड (राजस्य विभाग) कोल इस्टेट, सिविल लाइन्स, नागपुर–440001 (महाराष्ट्र) के कार्यालय या कलेक्टर, यावतमल (महाराष्ट्र) के कार्यालय में या कीयला नियंत्रक, 1, काउंसिल हाउस, स्ट्रीट, कलकत्ता, के कार्यालय में किया जासकता है।

इस श्रिधसचना के श्रन्तर्गत ग्रानेवाली भूमि में, हितबद्ध सभी व्यक्ति उक्त ग्रिधनियम की धारा 13की उपधारा(7) में निर्दिष्ट सभी नक्शों, चार्टों भीर अन्य दस्तावजों को इस श्रधिसुचना केराजपन्न में प्रकाशन की तारीख से नब्बे दिन के भीतर भारसाधक/विभागाध्यक्ष (राजस्व) वैस्टर्न कोलफील्ड्स लिमिटेड, कोल इस्टेंट, सिविल लाइन्स,नागपुर-440001 (महाराष्ट्) को भेजेंगे।

प्रनस्ची नया पिसगांव ब्लाक वैनी उसरी क्षेत्र

जिला यावतमल (महाराष्ट्र)

(रेखांक सं. सी $-1(\xi)/3$ /जेजेएनग्रार/630-0697, तारीख 19 जून, 1997)।

क्म सं. ग्राम कानाम		ग्राम का नाम पटवारी सर्किल सं. तहसील		जिला	क्षेत्र हैक्टयर में	टिप्पणियां
1.	वरुड़	20	मारेगांव	यावतमल	272,00	भाग
2.	चिचाला	19	मारेगांव	यावतमल	188.00	भाग
3.	सौलेमटी	20	भारेगांव	या वतम ल	56,00	भाग
4.	पाथरी	19	मारेगांध	यावसमल	147.00	भाग
5.	पांडुरकबड़ा	19	मारेगांव	यावतमल	12.00	भाग
6.	माले वाडी	19	मारेगांव	यावसमल	46.00	भाग
7 .	पिसर्गाव	19	मारेगांव	यावतमल	124.00	भाग
8.	पाष्ट्रापाल	20	मारेगांव	यावतम्ल	11.00	भाग

कूल क्षेत्र :

856.00 हैक्टर (लगभग)

2115.26 एकड़ (लगभग) या

शीमा वर्णन:

रेखा बिन्दू "क" से ग्रारंभ होती है श्रीर ग्राम वरु से होकर जाती है तथा बिन्दू "ख" पर मिलती है। क--खा:

रेखा ग्राम सालेमटी से होकर जाती है फिर पांथरी, मालेबाडी ग्रामों से होकर ग्रामें बढ़ती है ग्रीर ख~ग : बिन्दू ''ग'' पर मिलती है।

रेखा ग्राम पिसगोव से होकर जाती है फिर ग्राम पाहापाल से होकर श्रागे बढ़ती है श्रीर बिन्द "घ" ग-प : पर मिलती है।

रेखा ग्राम पिसर्गाव से होकर जाती है फिर ग्राम पांढरकवड़ा से होकर भ्रागे बढ़ती है श्रीर बिन्दू ''इं' 第一事 : पर मिलती है।

रेखा ग्राम चिचाला से होकर जाती है भौर बिन्दू "च" पर मिलती है। **ए--च**:

रेखा चिचाला ब्लाक के लिये प्राजित कोयला धारक क्षेत्र (प्रजीन भौर विकास) प्रधिनियम, 1957 च-कः : सीमा के साथ-साथ ग्राम चिंचाला से होकर जाती है ग्रीर की धारा 9(1) के श्रधीन की सम्मिलित

ग्रारंभिक बिन्सू ''क'' पर मिलती है।

[सं. 43015/12/97-एल.डब्ह्यू.] (श्रीमती), प्रेम लता सैनी धवर सचिव

MINISTRY OF COAL

New Delhi, the 22nd September, 1997

S.O. 2491—Whereas it appears to the Central Government that coal is likely to be obtained from the lands mentioned in the Schedule hereto annexed;

New therefore, in exercise of the powers conferred by sub-section (1) of section 4 of the Coal Bearing Areas (Acquision and Development Act, 1957 (20 of 1957) (hereinafter referred to as the said Act), the Central Government hereby gives notice of its intention to prospect for coal therein.

The plan bearing No. C-1 (E) III/JJNR/630-0697 dated the 19th June, 1997 of the area covered by this notification can be inspected in the office of the Western Coalfields Limited Revenue Department), Coal Estate, Civil Lines, Nagpur-440 001 (Maharashtra) or in the office of the Collector. Yavatmal (Maharashtra) or in the office of the Coal Controller, 1, Council House Street, Calcutta

All persons interested in the lands covered by this notification may deliver all maps, charts and other documents referred to in sub-section (7) of section 13 of the said Act to the Officer-in-Charge/ Head of the Department (Revenue;) Western Coalfields Limited, Coal Estate, Civil Lines, Nagpur-440 001 (Maharashtra) within ninety days from the date of publication of this notification.

SCHEDULE NEW PISGAON BLOCK WANI NORTH AREA

DISTRICT YAVATMAL (MAHARASHTRA)

(Plan No. C-I(E) III/JJNR/633-0697 dated the 19th June, 1997.

Serial number	Name of Village	Patwari circle number	Tahsil	District	Area in hectares	Remarks
1	Warud	20	Maregoan	Yavatmal	272.00	Part
2.	Chinchala	19	Maregaon	Yavatmal	188.00	Part
3.	Salebhati	20	Maregaon	Yavatmal	56.00	Part
4.	Pathari	19	Maregaon	Yavatmal	147.00	Part
5.	Pandharkawada	19	Maregaon	Yavatmal	12.00	Part
6.	Bhalewadi	19	Maregaon	Yavatmal	46.00	Part
7.	Pisgaon	19	Maregaon	Yavatmal	124.00	Part
8.	Pahapal	20	Maregaon	Yavatmal	11.00	Part

Total area:

856.00 hectares (approximately)

OT

2115.26 acres (approximately) Boundary description :

A-B: Line starts from point 'A' and passes through village Warud and meets at

point 'B'.

B-C: Line passes through village Salebhati then proceeds through villages Pathari, Bhale-

wadi and Pisgaon and meets at point 'C'.

C-D : Line passes through village Pisgaon then proceeds through village Pahapal and

meets at point 'D'.

D-C : Line passes through village Pisgaon then proceeds through village Pandharkawada

and meets at point 'E'.

E-F: Line passes through village Chinchala and meets at point 'F'.

F-A: Line passos through village Chinchala along the common boundary of u/s. 9(1)

of CBA (A&D) Act, 1957 acquired for Chinchala Block and meets at starting point A'.

[No. 43015/12/97-LW] Mrs. P.L. SAINI, Under Secy.

श्चिपत

नई दिल्ली, 23 सितम्बर, 1997

का०न्रा० 2492. -- भारत सरकार के राजपत भाग-2, ग्रांड-3, उप खंड (ii) दिनांक 12 जुलाई, 1997 के पृष्ट कमांक 3330 से 3343 पर प्रकाशित भारत सरकार के कीयला मंत्रालय भी श्रीधसूचना का०ग्रा० 1725 दिनांक 1 अवाई, 1997 में -

पृष्ट सं० 3331 पर प्रनुस्ची में ⊷

- ऋम सं. 2 में ग्राम कांसमुन्दा के स्थान पर कांसमुन्दा पहें - श्रम सं० 5 में श्रम जयानिया के स्थान पर जमानिया पढ़े। - श्रम सं 6 में जरदा के के स्थान पर जरडा पढ़े। - श्रम सं० 7 में श्राम तेसी संगा के स्थान पर तेसी सिगा पढ़ें श्रम सं० 8 में पायरमुन्द्रा के स्थान पर पायरमुन्द्रा पढ़ें। पूछ - 33-32 - पर -

-पॉक्त 1 में कांसमुन्दा के स्थान पर वासमुन्डा पहें। -पंक्ति 16 में प्लांट पं∘ 3963 के बाद 4004 योदें। चट्ट सं∘ 3333 पर -

-पंक्ति 2 में प्लाट सं० 310 के स्थान पर 330 पहें। -पंक्ति 7 में प्लाट सं. 553 के स्थान पर 453 पहें।

त्र.म सं. 6 में ग्राम जरदा के स्थान पर जरडा पहें। पुष्ट सं० 3338 पर

-पंक्ति 27 में प्लाट सं. 1545 के स्थान पर 1445 पर्दे। पुष्ट संब 3339 पर

त्रस ६० 8 में दाम पाथरमुखा के स्थान पर पायरमुखा पर्दे। पृष्ट 3341 पर

सीमा वर्णन घः के स्थान पर च-ध पढें।

–इसके ग्रन्तर्रत पंक्ति 3 में प्लाट सं. 3080 के स्थान पर 3088 पढेंं ।

एवं पक्ति 4 में प्लाट सं. 3967 क स्थान पर 3067 पहें।

सीमा वर्णन छ्ठ-ज-म के श्रन्तर्गत पित्रत 7 में प्लाट सं. 1577 के स्थान पर 1533 परे।

> [रं० 43015/16/95-एल० डब्ल्यू] श्रीमति प्रेमलता सैनी, धन्नर सचित्र

CORRIGENDA

New Delhi, the 23rd September, 1997

S.O. 2492.—In the notification of the Government of India in the Ministry of Coal No. S.O. 1725, dated the 4th July, 1997 published at pages 3343 to 3356 of the Gazette of India, Part II, Section 3, Sub-Section (ii), dated the 12th July, 1997,—

- (1) At page 3344, in the Schedule, in the column "Village" at serial number 5, for "Jamaina" read "Jamania".
- (2) At page 3351, (i) under the heading "Plot numbers to be acquired in village Telisingha (Part)", in line 30, insert "1566(P)" after "1565-(P)",
- (ii) in line 34, for "1648, 1648" read "1648".

[No. 43015]16]95-LW] Mrs. P. L. SAINI, Under Secy.

नई दिल्ली. 25 सितम्बर, 1997

का०धा० 2493 -- केन्द्रीय सरकार ने कोयला धारक क्षेत्र (म्रर्जन भीर विकास) मधिनियम, 1957 (1957 का 20) जिसे इसमें इसके पश्चात् उक्त प्रधिनियम कहा गया है) की धारा 7 की उपधारा (1) के प्रधीन भारत के राजपत्र भाग 2, खंड 3. उपखंड (ji) तारीख 20 जनवरी, 1996 में प्रकाशित भारत सरकार के कोयला मंत्रालय की प्रधिसचना सं. 129 तारीख 12 जनवरी, 1996 द्वारा उस श्रधिसुचना से उपाबंद ग्रनुसुची में धिनिर्दिष्ट पर क्षेत्र में 338.268 हेक्टर (लगभग) या 835.794 एकड (लगभग) माप की भूमि में खनिजों के खनन, बोर करने, उनकी खदाई भ्रीर खोज करने, उन्हें प्राप्त करने, उन पर कार्य करने श्रीर उन्हें ले जाने के ग्रधिकारों के श्रर्जन करने में श्रपने श्रागय की सचना दी थी;

ग्रीर सक्षम प्राधिकारी ने उक्त ग्रधिनियम की धारा 8 के ग्रनसरण में, केन्द्रीय सरकार को भ्रपनी रिपोर्ट दे दी है;

श्रीर केन्द्रीय सरकार का पर्वोक्त रिपोर्ट पर विचार करने के पश्चात श्रीर मध्य प्रवेश सरकार से परामर्श करने के पश्चात यह समाधान हो गया है कि इससे संलग्न श्रनुसुची में वर्णित 338.268 हेक्टर (लगभग) या 835.894 एकड़ (लगभग) माप की भ मि में खिनजों के खनन, बीर करने उनकी खुदाई भीर खोज करने, उन्हें प्राप्त करने, उन पर कार्य करने भीर उन्हें से जाने के ग्रिधिकारों को श्रर्जित किया जाना चाहिए ;

भ्रतः भ्रय, केन्द्रीय सरकार उक्त भ्रधिनियम की धारा 9 की उपधारा (i) द्वारा प्रक्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि इसमें संलग्न अनुसुची में वर्णित 338.268 हेक्टर (लगभग) या 835.894 एकड़ (लगभग) माप की भूमि में खनिजों के खनन, बोर करने, उनकी खदाई भीर तलाग करने उन्हें प्राप्त करने, ले जाने के स्रधिकार भीजत किए जाते है।

इस ग्रिधिस्चना के भ्रन्तर्गत श्राने वाले क्षेत्र के रेखांक सं. सी.-1 (ई) III 610-796 तारीख 15 जुलाई, 1996 का निरीक्षण कलक्टर छिववाड़ा (मध्य प्रदेश) के कार्यालय में या कोयला नियंत्रक, 1, काउसिल हाउस स्ट्रीट कलकत्ता-700001 के कार्यालय में या धैस्टर्न कोलफील्इस लि. (राजस्व प्रनुभाग) कोयला स्टेट, सिविल लाइन्स नागपुर-44001 (महाराष्ट्र) के कार्यालय में किया जा सकता है।

धनुसूची मावरी ब्लाक कहन क्षेत्र (जिला छिदबाड़ा (मध्य प्रवेश)

ऋम सं.	निम्नलिखित का नाम		पटवारी सर्किल सं.	कम्पार्टमेंट सं	कूप संख्यांक
• • • • •	ग्राम	वन			
1.	मावरी		50/6 (नया)		
2.	धोगरी रैयतवारी		50/7 (नेया)		
3.	खारी		29		
4.	मवटिया	वन	29	पी-15 ख	XXXII
5.	दोभनः	दोभम		15 XLIII	
		पाठार		15 XLIII	
6.		सामवानवार		16年 XXX	
				16年 XXIX	

-		कुल क्षेत्र	338.268 हेम्टर (लगभग) या
जूनारदेव	छिदबाड़ा	18.777	भाग
र्जूमारदेव	छिदवाड़ो	36.260	भाग
जूमारदेव	ভিতৰা ভা	79.320	भाग
जूनारदेव	छिडवाड् ।	59.085	भाग
जूमारदेव	छिदवाड़ा	61.675	भीग
जूनारदेव	छिदवाड़ा	0.971	भाग
परासिया	छिदवाड़ा	24.281	भाग
परासिया	छिदवाड़ा	57.899	भाग
तहसील	जिला	क्षेत्र हेक्टर में	टिप्पणियां

क्ल क्षेत्र 338.268 हेक्टर (लगभग) 835 894 एकड़ (लगभग) मावरी ग्राम में श्रर्णित किए जाने वाले प्लांट संः

1, 2, 3/1-2 भाग 4, 5, 6/1, 6/2 भाग, 7 भाग, 9 भाग, 15 भाग, 16 भाग, 17 भाग, 18/1-2 भाग, 21 भाग, 22/1, 22/2, 23, 24, 25 भाग 26 भाग, 27 भाग, 31 भाग, 32 से 36, 37 (नाला) भाग, 39 भाग 40 से 45, 46 भाग, 47/1 से 5 भाग, 48/1 भाग 48/3 भाग

ग्राम धोगरी रैयतथारी में र्प्राजित किए जाने वाले प्लांट सं :

48 भाग, 49 भाग, 50 भाग, 51/1-2 भाग, 53/1-2 भाग, 54 (नाला) भाग

ग्राम खारी में ग्रर्जिस किए जाने वाले प्लाट सं० :

18/1 भाग

ग्राम नकटिया में प्रजित किए जाने वाले संरक्षित वन के कम्पार्टमेंट ग्रीर कूप सं० :

कम्पार्टमेंट सं० 15 ख भाग, कूप सं० XXXII

भाग 1

दोमर पटार भ्रारक्षित वन में भ्राजित किए जाने वाले कम्पार्टमेंट सं० श्रीर कूप सं० :

कम्पार्टमेंट सं० 15 भाष, कृप संख्यांक --XLIII भाग ग्रीर कृप सं ---XXVII भाग I

समावानवारा थड़ा धारक्षित वन में अजित किए जाने वाले कम्पार्टमेंट सं० ध्रीर कूप सं०

कम्पार्टमेंट सं० 16क भाग कूप सं० भाग और कृप सं० XXIX भाग

सीमा वर्णन

क--ख: रेखा बिन्दु "क" से आरंभ होती है और आरक्षित वन कम्पार्टमेंट सं. 15 भीर 14क की सम्मिलित

सीमा के साथ-साथ जाती है तथा बिन्दु "ख" पर मिलती है।

ख-ग-घ: रेखा कूप सं. XLIII 63 में श्रारक्षित, वन कम्पार्टमेंट सं. 15 से होकर जाती है, फिर प्लाट सं.

48,49,50,51/1-2,53/1-2,54 (नाला) में ग्राम धोगरी रेयतवान्नी से होकर भ्रागे बढ़ती है,

श्रीर बिन्दू "घ" पर भिलती है।

घ-ड: रेखा प्लाट सं. 54 (नाला) की पूर्वी सीमा के साथ-साथ जाती है और बिन्द "इ''पर मिलती है।

रेखा "'घोगरी रैयतवारी ग्रौर भावरी ग्रामों की सम्मिलित ग्राम सीमा के साथ साथ जाती है

श्रीर बिन्दु "च" पर मिलती है।

च--छ : रेखा प्लाट सं. 46, 48/3 में, ग्राम भावरी से होकर जाती है और बिन्दू "छ" पर मिलती है।

छ---ज : रेखा प्लाट सं. 48/3, 48/1, 47/1 से 5,37 (नाला), 39 में ग्राम भावरी से होकर जाती है, प्लाट

सं. 31, 27, 26, 25, 21, 18/1⊶2, 16, 15, 3/1⊶2, 6/2, ७/9 में नाला पार करती है और **बिन्दु**

बिन्दु "ज" पर मिलती है ।

ज-मा: रेखा, कूप सं. XXXII में ग्राम नकटिया के कम्पार्टमेंट सं. 15ख संरक्षित वन से होकर जाती है ग्रौर

प्लाट सं. 18/1 में ग्राम खारी से होकर जाती है भ्रौर फिर ग्रारक्षित वन के कूप सं. \mathbf{XLVIII}

में कम्पार्टमेंट सं.15 से होकर श्रीर श्रागे बढ़ती है तथा श्रारक्षित वन के कृप सं. $\mathbf{X}\mathbf{X}\mathbf{X}$ में

कम्पार्टमेंट सं. 16क से होकर जाती है और बिन्दू "भ" परमिलती है।

क्श---कः रेखा प्रारक्षित वन के कूप सं. XXIX में कम्पार्टमेंट सं. 16क से होकर जाती है ग्रीर ग्रारक्षित

वन के कूप सं. XLVIII कम्पार्टमेंट सं. 15 से होकर जाती है तथा प्रारंभिक बिन्दु "क"

पर मिलती है।

[सं. 43015/9/92-एल. इब्ल्यू.] श्रीमती पी.एल. सैंगी, ग्रवर सचिव

New Delhi, the 25th September, 1997

S.O. 2493.—Whereas by the notification of the Government of India in the Ministry of Coal No. S.O. 129 dated the 12th January, 1996, published in the Gazette of India, Part-II, Section-3, Sub-Section (ii), dated the 20th January, 1996, under sub-section (1) of section 7 of the Coal Bearing Areas (Acquisition and Development) Act, 1957 (20 of 1957) (hereinafter referred to as the said Act), the Central Government gave notice of its intention to acquire the rights to mine, quarry, bore, dig and search for win, work and carry away minerals in the lands measuring 338.268 hectares (approximately) or 835.894 acres (approximately) the Mining Rights in the locality specified in the Schedule annexed to that notification;

And whereas the competent authority in pursuance of section 8 of the said Act has made his report to the Central Government;

And whereas the Central Government after considering the report aforesaid and after consulting the Government of Madhya Pradesh, is satisfied that the mining rights to mine, quarry, bore, dig and search for win, work and carry away minerals in the lands measuring 338.268 hectares (approximately) or 835.894 acres (approximately) described in the Schedule appended hereto should be acquired.

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 9 of the said Act, the Central Government hereby declares that the mining rights to mine, quarry, bore, dig and search for, win, work and carry away minerals in the lands measuring 338.268 hectares (approximately) or 835.894 acres (approximately) described in the Schedule appended hereto are hereby acquired.

The Plan bearing No. C-1 (E)/III/HR/610-796 dated the 15th July, 1996, of the area covered by this notification may be inspected in the Office of the Collector, Chhindwara (Madhya Pradesh) or in the Office of the Coal Controller, 1, Council House Street, Calcutta-700 001 or in the Office of the Western Coalfields Limited (Revenue Department), Coal Estate, Civil Lines, Nagpur-440 001 (Maharashtra).

SCHEDULE MAORI BLOCK KANHAN AREA

DISTRICT CHHINDWARA (MADHYA PRADESH)

(Plan No. C-1 (E)/III/HR/610-796 dated the 15th July, 1996).

Mining	Rights

Serial number	Name	of the	Patwari circle	Compart- ment	- Coup number	•	District	Area in hectares	Remarks
	Village Fores		number	number					
1.	Maori	_ 5	50/6 (New)			parasia	Chhindwara	57.899	Part
2.	Ghogri- Raytwari	_ 5	60/7 (New)		_	Parasia	Chhindwara	24.281	Part
3.	Khari	_	29			Junnardeo	Chhindwara	0.971	Part
4.	Nakatia	Forest	29	P15B	XXXII	Junnardeo	Chhindwara	61.675	Part
5.	-	Dobhan- Pather			XLIII XLVIII	Junnardeo Junnardeo	Chhindwara Chhindwara	,	Part Part
6.	_	Samwan wara	_	16A	XXX	Junnardeo	Chhindwara	36.260	Part
		Barra		16A	XXIX	Junnardeo	Chhindwara	18.777	Part

Total area: 338.268 hectares

(approximately)

or 835,894

acres

(approximately)

Plot numbers acquired in Village Maori: 1, 2, 3/1-2 Part, 4, 5, 6/1, 6/2 Part, 7 Part, 9 Part, 15 Part, 16 Part, 17, 18/1-2 Part, 21 Part, 22/1, 22/2, 23, 24, 25 Part, 26 Part, 27 Part, 31 Part, 32 to 36, 37 (Nallah) Part, 39 Part, 40 to 45, 46 Part, 47/1 to 5 Part, 48/1 Part, 48/3 Part.

Plot numbers acquired in village Ghogri Raytwari: 48 Part. 49 Part, 50 Part, 51/1-2 Part, 53/1-2 Part, 54 (Nallah) Part,

Plot numbers acquired in village Khari: 18/1 Part.

Compartment and Coup number of Protected Forest acquired in village Nakatia:

Compartment number P 15B Part, Coup number XXXII Part.

Compartment number and Coup numbers acquired in Dobhan Pathar Reserved Forest:

Compartment number 15 Part, Coup number XLIII Part and Coup number XLVIII Part.

Compartment number and Coup numbers acquired in Samwanwara Barra Reserved Forest :

Compartment number 16A Part, Coup number XXX Part and Coup number XXIX Part.

Boundary description

: Line starts from point 'A' and passes along the common boundary of Reserved A-B Forest Compartment Numbers 15 and 14A and meets at point 'B'.

B---C--D : Line passes through Reserved Forest Compartment number 15, in Coup number XLIII, then proceeds through village Ghogri Raytwari, in plot numbers 48, 49, 50, 51/1-2, 53/1-2, 54 (Nallah) and meets at point 'D'.

: Line passes along the eastern boundary of plot number 54 (Nallah) and meets a D-Epoint 'E'.

: Line passes along the common village boundary of villages Ghogri Raytwari and E-F Maori and meets at point 'F'.

: Line passes through village Maori in plot numbers 46, 48/3 and meets at point 'G'. F-G

: Line passes through village Maori in plot numbers 48/3, 48/1, 47/1 to 5, 37 (Nallah), G—H 39 crosses nallah, in plot numbers 31, 27, 26, 25, 21, 18/1-2, 16, 15, 3/1-2, 6/2. 7, 9 and meets at point 'H'.

Line passes through compartment number 15B protected forest of village Nakatia H--1 in Coup number XXXII and passes through village Khari in plot number 18/1, then further proceeds through compartment number 15 in coup number XLVIII of Reserved Forest and passes through compartment number 16A in coup number XXX of Reserved Forest and meets at point 'I'.

Line passes through compartment number 16A in coup number XXIX of Reserved · 1---A Forest and passes through compartment number 15 in coup number XLVIII, XLIII of Reserved Forest and meets at strating point 'A'.

> [No. 43015/9/92-LSW] Mis. P. L. SAINI, Under Secy.

क्रुषि मन्द्रालय

(कृषि और सहकारिता विभाग) नई दिल्ली, 19 सितम्बर,

2494.--केन्द्रीय का, श्रा. बह-राज्य सरकार सहकारी समिति ग्रधिनियम, 1984, (1984 का 51) की धारा 4 की उपधारा (1) बारा प्रदेश मिनतयों का प्रयोग करते हुए तथा भारत सरकार को ग्रधिसूचना सं. एल.--11012/1/85--एल एंड एम दिनांक 13 सितम्बर, 1997 का ग्रधित्रमण करते हुए एतदबारा कृषि मलालय, कृषि एवं सहकारिता विभाग में संयवत सचिव, श्री पाल जोसेफ को भागामी भादेशों तक केन्द्रीय पंजीयक सहकारी समिति के पद पर नियुवत करती है।

> [मं एल.——11012/1/85-एल. एंडएम.] एत. एस. राणा, ग्रवर सचिव

MINISTRY OF AGRICULTURE

(Department of Agriculture and Co-operation) New Deihi, the 19th September, 1997

S.O. 2494.—In exercise of the powers conferred vide sub-section (1) of section 4 of the Multi-State Co-operative Societies Act, 1984 $(51 ext{ of}$ 1984), and in supersession of the Government of India Notification No. L-11012/1/ 85-L & M, dated 13th September, 1996, the Central Government hereby appoints Shri Paul Joseph, Joint Secretary in the Ministry of Agriculture, Department of Agriculture and Co-operation as the Central Registrar of Co-operative Societies till further orders.

> INo. L-11012/1/85-L & MI N. S. RANA, Under Secy.

		सु।स्डपन्न	
٠.,		6	

नई दिल्ली, 22 सितम्बर, 1997

पेट्रोलियम और प्राकृतिक गैस मंह्रालय

का० ग्रा० 2495.—भारत का राजपन्न दिनांक 17-2-96 के पृष्ठ 579 से 582 पर प्रकाणित भारत सरकार के पेट्रो-लियम और प्राकृतिक गैस मंत्रालय की खनिज पाइपलाइन (भूमि के उपयोग का ग्रजंन) ग्रधिनियम, 1962 (1962 का 50) की धारा 6 की उपधारा (1) के ग्रधीन जारी की गई ग्रधिसूचना संख्या का ग्रा० संख्या 473 दिनांक 01-02-96 ग्राम ग्राराजी दरगाह फफूंद परगना व तहसील ओरेया, जिला इटावा की प्रकाणित सूची के स्तम्भ 5 व 6 में निम्न प्रका रपढ़ा जाए। इस ग्राणय का शुद्धिपन्न पी एंड एम पी एक्ट की धारा 3(i) पेट्रोलियम और प्राकृतिक गैस मंत्रालय का ग्राया संख्या 1235 दिनांक 28-04-97 भारत सरकार के राजपन्न दिनांक 10-05-97 में प्रकाणित हो चुका है।

राजपत्र मे	में प्रकाशित	निम्नानुसार पढ़ा जाये		
5	6	5	6	
गाटा संख्या	क्षेत्रत्नफल (एकड़)	गाटा संख्या	क्षेत्रफल (एकड़)	
1	2	3	4	
569	0.07	569	0.16	
588	0.04	588	0.16	
589	0.21	589		
630	0.20	630	0.25	
748	0.02	748	 -	
838	0.05	838	0.27	
844	0.32	844	0.27	
845	0.08	845	0.01	
1104	0.03	1104		
1105	0.55	1105	0.58	
1905	0.26	1905	0.05	
1907	0.06	1907	0.16	
1908	0.02	1908	0.12	
1909	0.09	1909	0.10	
2005	0.29	2005	0.25	
2011	0.17	2011	0.21	
2038	0.04	2038	0.20	
2042	0.15	2042	0.08	
		-	0	

1	2	3	4
	-		
2043	0.05	2043	
2049	0.06	2049	
2054	0.20	2054	
2185	0.12	2185	0.23
2186	0.14	2186	0.23
2214/877	0.03	2214/877	

[संख्या : 14016/17/94-जी पी] श्राई० एस० एस० प्रसाद, उप सचिव

MINISTRY OF PETROLEUM & NATURAL GAS CORRIGENDUM

New Delhi, the 22nd September, 1997

S. O. 2495.—In the Gazette of India, Ministry of Petroleum and Natural Gas S. O. No. 473 dated 01-02-96 published on 17-02-96 at pages 582 to 584 under Sub-section (1) of section 6 of the Petroleum and Mineral Pipeline (Acquisition of Right of users in land) Act, 1962 (50 of 1962) in respect of Village Arazi Dargah Phaphund, Tehsil Auraiya, Distt. Etawah be read as follows. The corrigendum to this effect was published U/S 3(i) of P & MP Act vide MOP & NG S.O. No. 1235 dated, 28-04-97 in Gazette dated. 10-05-97.

As per Gaz	ette	Be read below	as corredted
5	6	5	6
Survey No.	Area (Acres)	Survey No.	Area (Acres
1	2	3	4
569	0.07	569	0.16
588	0.04	588	0.16
589	0.21	589	

		<u></u>	
1	2	3	4
630	0.20	630	0.25
7 4 8	0.02	748	
838	0.05	838	0.27
844	0.32	844	0.27
845	0.08	845	0.01
1104	0.03	1104	
1105	0.55	1105	0.58
1905	0.26	1905	0.05
1907	0.06	1907	0.16
1908	0.02	1908	0.12
1909	0.09	1909	0.10
2005	0.29	2005	0.25
2011	0.17	2011	0.21
2038	0.04	2038	0.20
2042	0.15	2042	0.08
2043	0.05	2043	
2049	0.06	2049	_
2054	0.20	2054	
2186	0.12	2185	0.23
2186	0.14	2186	0.03
2214/877	0.03	2214/877	<u> </u>

[No L-14016/17/94 G.P.] I. S. N. PRASAD, Dy. Secy.

नई दिल्ली, 22 नितम्बर, 1997

का०ग्रा० 2496.—पेट्रोलियम और खनिज पाइप लाइन (भूमि के उपयोग के ग्रधिकार का ग्रर्जन) ग्रधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के ग्रधीन भारत सरकार के पंट्रोलियम और प्राकृतिक गैस मंद्रालय की ग्रधिक्चना का०ग्रा० 2144 तारीख 20-7-96 द्वारा भारत सरकार ने उस ग्रधिस्चना में ससंलग्न श्रनुसूची में विनिद्धिंट भूमियों के ग्रधिकार को पाइप लाइन विछाने के लिए ग्रजिन करने का श्रांगय घोषित किया था।

श्रतः समक्ष प्राधिकारी ने उतन श्रधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दीं हैं।

तत्पन्नवात् भारत सरकार ने इक्त रिपोर्ट पर विचार करने के पन्नवात् इस ग्रधिसूचना में संलग्न श्रनुसूची में विनि-विष्ट भूमियों के उपयोग का श्रधिकार ग्रजित करने का विनिश्चय किया है।

ग्रब ग्रतः उक्त ग्रधिनियम की धार। 6 की उपधारा(1) बारा प्रदत्त णक्तियों का प्रयोग करते हुए भारत सरकार एतद्द्वारा घोषित करती है कि इस ग्रधिसूचना में संलग्न ग्रनुसूची में विनिर्दिण्ट उक्त भूमियों में उपयोग का ग्रधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्द्वारा ग्राजिन किया जाना है।

इस धारा की उपधारा (4) द्वारा प्रदत्त सक्तियों का प्रयोग करते हुए भारत सरकार निर्देश देती है कि उक्त भूमियों में ग्रिधकार भारत सरकार में निहित होने के बजाय गैस श्रशांदिटी ऑफ इंडिया लिमिटेड में सभी बाधाओं सें मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

श्रनुसूची

सी०पी० ऑफ गंधार सें अेल पी० जी० प्लान गंधार पाईप लाईन

राज्य : गुजरात जिला : भरूच तालका : बःगरा

गांव	——— सर्वेंक्षण संख्या/		क्षेत्रफल		
	संख्या खंड संख्या	हेक्टोएयर	 ए य र	 सेन्ट	 ोए य र
	1178	·		09	72
		0		09	7 2

[सं॰ एल. 14016/01/93-जोपो] आई एस॰ एन॰ प्रसाद, उप सचिव

New Delhi, the 22nd September, 1997

S. O. 2495.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas. S. O. No. 2144 dated 20-7-96 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (I) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquire for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Gas Authority of India Ltd. free from all encumbrances.

SCHEDULE

Pipeline from CPF Gandhae to L. P. G. Plant Gandhae.

State: Gujarat Dist: Bharuch Taluka: VAGRA

Village	Sr. No.	AREA			
	Block No.		Arc	Cent.	
CHANCHVEL	1178	0	09	72	
		0	09	72	

[No. L-14016/01/93-G.P.] I. S. N. PRASAD, Dy. Secy.

नई दिल्ली, 22 सितम्बर, 1997

का आ, 2497.--पैटालियम और खनिज उपयोग के ग्रधिकार का ग्रर्जन) ग्रधि-लाइन (भूमि नियम, 1962 (1962 का 50) की धारा-3 के उपधारा (1) के प्रधीन भारत सरकार के पैट्रोलियम की ग्रधिसूचना का.आ. यौर प्राकृतिक गैस मंत्रालय 20-7-96 द्वारा भारत सरकार ने 2145 तारीख उस श्रधिसूचना में संलग्न श्रन्सूची में विनिर्दिष्ट भूमियों के अधिकार को पाइप लाइन बिछाने के लिए प्रजित करने का ग्रागय घोषित किया था।

ग्रत: सक्षम प्राधिकारी ने उक्त ग्रधिनियम की धारा 6 की उबधारा (1) के ग्रधीन सरकार को रिपोर्ट दे दी है।

तत्पग्रचात भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात इस ग्रिधिसूचना में संलग्न ग्रनुसूची में विनिर्दिष्ट भूमियों के उपयोग का अधि-कार प्रजित करने का बिनिश्चय किया है।

श्रम झतः उक्त श्रिधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदन शक्ति का प्रयोग करते हुए भारत सरकार एतदद्वारा घीषित करती है कि इस अधिसूचना में संलग्न श्रनुसूची में विनिदिष्ट उक्त भृमियों में उपयोग का श्रिधिकार पाइप लाइन विछाने के प्रयोजानार्थ के लिए एतदद्वारा श्रीजन किया जाता है।

इस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए भारत सरकार निर्देण देती है कि उक्त भूमियों में प्रधिकार भारत सरकार में निहित होने के बजाय गैंस प्रथारिटी श्राफ इंडिया लिमिटड में सभी बाधाओं से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

ग्रनुसूची

सी.पी.एफ, गंधार से एल.पी.जो. प्तान्ट गंधार पाइप लाइन

राज्यः गुजरात	जिलाः	: भरुच	तालुक	ा : ग्रामोद
गांव	सर्वेक्षण संख्या खंड संख्या	क्षेद	क ुल	
		हेक्टेयर	एयर	सेन्टीएयर
रोजा टंकारिया	909	0	04	68
		0	04	68

[सं.एल. 14016/01/93-जी पी] श्राई.एस.एन. प्रसाद, उप सचिव

New Delhi, the 22nd September, 1997

S. O. 2497.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas. S. O. No. 2145 dated 20-7-96 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of user in land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under Sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the Gas Authority of India Ltd. free from all encumbrances.

SCHEDULE

Pipeline from CPF Gandhar to L. P. G. Plant Gandhar.

State: Gujarat Dist: Bharuch Taluka: AMOD

Village	Sr. No. Block N		AREA	
	DIOCK IV	4	Are	Cent.
ROZATANKARIA	909	0	04	68
		0	04	68

[No. L-14016/01/93-G.P.] I. S. N. PRASÁD, Dy. Secy.

नई दिल्ली, 22 सितम्बर, 1997

का. मा. 2498.—पैट्रोलियम ग्रीर खनिज के उपयोग के अधिकार का श्रर्जन) (भृमि ग्रिधिनियम, 1962 (1962 का 50) की के उपधाराष् (1) के प्रधीन भारत सरकार के पैदोलियम गैस मंत्रालय की ग्रधिसूचना श्रौर प्राकृतिक 20-7-96 द्वारा भारत सरकार ने 2146 में विनिधिष्ट ग्रन्मुची उस ग्रधिसचना संलग्न ब्रिष्ठाने भमियों के ग्रधिकार को पाइप लाइन लिए ऑजित करने का म्राशय घोषित किया था।

अतः सक्षम प्राधिआरी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के प्रधीन सरकार को रिपोर्ट दे दी है।

तत्पश्चात भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पक्ष्वात इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों के उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

ग्रब ग्रतः उक्त ग्रिधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए भारत सरकार एतदद्वारा घोषित करती है कि इस ग्रिधिमूचना में संलग्न अनुसुची में विनिद्धिः उक्त भूमियों में उपयोग का श्रिधकार पाइप लाइन बिछाने के प्रयोजन के लिए एतदद्वारा श्रिजत किया जाता है।

इस धारा की उपधारा (4) द्वारा प्रदत्त क्षितयों का प्रयोग करते हुए भारत सरकार निर्देश देती है कि उक्त भुमियों में प्रधिकार भारत सरकार में निहित होने के बजाय गैस प्रथारिटी आफ इंडिया लिमिटेड में सभी बाधाग्रों से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

ग्रन्युची

्रल.पी.जी. प्लान्ट गंधार से एन.टी.पी.सी. जनोर पाइप लाइन

राज्य : गुजरात	जिलाः	भरूच	तालुका	: भरुच
गांव	−−−−−− सर्वेक्षण संख्या/खंड		क्षेत्रफल	
	संख्या 	हे बटेयर	एयर	सेर्न्टायर
	452	0	04	15
	453	0	19	35
	455	0	15	48
	456	0	11	79
		0	50	 77

[सं. एल-14016/01/93-र्जा पी] श्राई.एस.एन. प्रसाद, उप सचिव New Delhi, the 22nd septmbe, 1997

S.O. No. 2498.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. no, 2146 dated 20-7-96 under sub-section (I) of section 3 of the Petrolum and Minerals Pipelines (Acquistion of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipline;

And Whereas the Competent Authority has under Sub-Section (I) of Section 6 of the said Act, submitted report to the Government;

And Further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the power conferred by sub-section (I) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said land specified in the schedule appended to this notification hereby acquired for laying the pipline;

And Further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the GAS AUTHORITY OF INDIA LTD; free from all encumbrances.

SCHEDULE

Pipeline from L.P.G. Plant Gandhar to N.T.P.C. Zanor

State-Gujarat Distt. Bharuch Taluka Bharuch

Village	Sr. N Block		Area) -
	BIOCK		Are.	Cent.
Zanor	452	0	04	15
	453	0	19	35
	455	0	15	48
	456	0	11	79
		0	50	77

[No. L-14016/01/93-QP]

I.S.N. PRASAD, Dy. Secy.

नई दिल्ली, 21 सितम्बर, 1997

का. श्रा. 2499.— पैट्रोलियम और खनिज पाइप लाइन (भूमि के उपयोग के श्रिधकार का श्रर्जन) अधिनियम 1962 (1962 का 50) की धारा-3 के उपधारा (1) के श्रधीन भारत सरकार के पैट्रोलियम श्रीर प्राकृतिक गैस मंत्रालय की श्रिधसूचना का. श्रा. 2141 तारीख 20 7-96 द्वारा भारत सरकार ने उस श्रिधसूचना में संलग्न श्रनुसूची में विनिदिष्ट भूमियों के श्रिधकार को पाइप लाइन बिछाने के लिए श्राजित करने का श्राणय घोषित किया था।

न्नतः सक्षम प्राधिकारी ने उक्त श्रधिनियम की धारा 6 की उपधारा (1) के श्रधीन सरकार को रिपोर्ट दे दी है।

तत्पश्चात् भारत सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात इस श्रिधसूचना में संलग्न श्रनुसूची में विनिर्दिष्ट भूमियों के उपयोग का अधिकार श्रिजित करने का विनिश्चय किया है।

अब अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए भारत सरकार एतदद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइप लाइन बिछाने के प्रायोजक के लिए एनद्वारा अजित किया जाता है।

उस धारा की उपधारा (4) द्वारा प्रदक्त शक्तियों का प्रयोग करते हुए भारत सरकार निर्देश देती हैं कि उक्त भूमियों में श्रधिकार भारत सरकार में निहित होने के बजाय गैंस श्रथारिटी श्राफ इंडिया लिमिटेड में सभी बाधायों से मुक्त रूप में घोषणा के प्रकाशन की इस तारीख को निहित होगा।

''टी'' पाइन्ट ग्राफ गुजरात गार्डीयन से गुजरात बोरोसील लि

राज्य : गुजरात	तालुका	ः ग्रंकलेश्वर	जिल	ता∶भरुच
गांव	ऋम सं. ब्लाक सं.		एरिया	
	w((1) ().	हैक्टयर	प्रार्र	भेन्टीय <i>र</i>
करारर्वल	91	00	08	44

[सं. एल-14016/01/93-जी पी] श्राई.एस.एन. प्रसाद, उप सचिव

New Delhi, the 22nd September, 1997

S.O. 2499.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas. S.O. no. 2141 dated 20-7-96 under sub-section (I) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that nofification for the purpose of laying pipeline;

And Whereas the Competant Authority has under Sub-section (I) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right of user in the lands specified in the schedule appended to this notification:

Now, therefore, in exercise of the power conferred by sub-section (1) of the Section 6 of the said Act the Central Government hereby declares that the right of user in the land specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And Further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in Central Government vests on this date of the publication of this declaration in the GAS AUTHORITY OF INDIA LTD. free from all encumbrances.

Gas Pipeline from "T" Point Gujarat Guardian to Gujarat Borosil Ltd.

State Gujarat: Taluka: Ankleshwer

Distt. Bharuch

Village	Sr. No. Block——	Area	
		- Arc. Cen-	
Karawel	91	00 —08	44

[No. L-14016/01/93-GP I.S.N. PRASAD, Dy. Secy

भाग II—खंड 3 (ii)] भारत का राजपत्र : अक्तूबर 4,	1997/आरिवन	12, 1919	<u></u>		477
	(1)	(2)	(3)	(4)	(5)
नई दिल्ली, 30 सितम्बर, 1997		78 पैकी	0	18	00
		85 पैकी	0.	39	10
का. आ. 25८० 🗺 केन्द्रीय सरकार ने, पेट्रोलियम और		85 पैकी	0	39	20
खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन)		84 पैकी	0	44	55
अधिनियम, 1962(1962 का 50) (जिसे इसमें इसकेपश्चात		83 पैकी	0	25	00
उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के		83 पैकी	0	51	02
अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक		82 पैकी	0	44	70
गैस मंत्रालय की अधिसूचना संख्या का. आ. 902, तारीख		82 पैक ी	0	33	00
19 मार्च, 1997 द्वारा पेट्रोलियम उत्पादों के परिवहन के लिए		89/1	0	27	00
		89/1	0	26	55
पाइपलाइन बिछाने के प्रयोजनार्थ उस अधिसूचना से संलग		90 पैकी	0	69	15
अनुसूची में विनिर्विष्ट भूमि में उपयोग के अधिकारों के अर्जन के		127 पैकी	0	66	90
अपने आशय की घोषणा की थी;		128 पैकी	. 0	58	39
		128 पैकी	0	47	15 00
और, उक्त राजपित्रत अधिसूचना की प्रतियां जनता		138 पैकी	0 0	29 28	98
को तारीख 5 अप्रैल, 1997 को उपलब्ध करा दी गई थी;		138 पैक ी	0	28 14	90 19
		137 पैकी	0	16	00
और, उक्त अधिनियम की धारा 6 की उपधारा (1) के		137 पै की	0	18	30
अनुसरण में सक्षम प्राधिकारी ने केन्द्रीय सरकार को अपनी		136	0	19	05
रिपोर्ट दे दी है;		196 199	0	16	80
,		199	0	17	70
और, केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने		198 255 पै की	o O	33	76
के पश्चात यह समाधान हो गया है कि इस अधिसूचना से संलग्न		255 पैकी	0	34	00
अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन		256	0	47	93
किया जाना चाहिए :	हमापर	228	0	55	80
जिला जाना चाहिए ;	CHILL	227	0	11	65
		226 पैकी	0	40	00
अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की		226 पैक ी	0	39	40
धारा 6 की उप धारा (1) द्वारा प्रदत्त शक्तियों का प्रयौग करते		225	0	20	02
हुए, इस् अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में		224/2	0	32	00
उपयोग के अधिकार अर्जित करने की धोषणा करती है;		224/2	0	32	58
		219	0	7 3	80
यह और कि केन्द्रीय सरकार, उक्त धारा की उपधारा		2 1 8 पैकी	0	44	02
(4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है 💎		217 पैकी	0	27	98
कि उक्त भूमि में उपयोग का अधिकार, केन्द्रीय सरकार में निहित 💎		216 पैकी	0	51	07
होने की बजाए सभी विल्लगंमों से मुक्त होकर भारत ओमान 💎		200	0	33	60
रिफाईनरीज़ लिमिटेड में निहित होगा।		199	0	41	85
अनुसूची		198 पैकी	0	16	00
तालुकाः ध्रोल जिलाः जामनगर राज्यः गुजरात		198 पैकी	0	16	18
गांव का सर्वेक्षण सं./ क्षेत्र		197 पैकी	0	63	30
नाम खंड सं. हेक्टर आरे सेन्टीआरे		194 पैकी	0	60	83
		182 पैकी	0	27	30
(1) (2) (3) (4) (5) रोझीया 78 पैकी 0 21 25		183 पैकी	0	27	05
<u>रोझीया 78 पैकी 0 21 25</u>		183 पैक ी	0	25	00

[PART	II-SEC.	3(11)1

				·		·	<u>`</u>		<u>```</u>
(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
	147 पैकी	0	95	70'	•	208/पैकी	0	46	20
	146	0	70	13		212 पैकी	0	38	00
मोट । इट ।ल	T 41/2 पैकी	0	18	84		212 पैकी	.0	39	86
	41/2 पैकी	0	44	00		224/1	1	83	09
	40	0	02	22		214/2 पैकी	0	52	63
	42/1/2 पैकी	0	70	24		177	0	64	95
	42/1/2 पैकी	0	04	70		175	0	41	00
	43 पैकी	0	31	05		172 पैकी	0	06	48
	44 पैकी	0	59	10		169 पैकी	0	50	00
	70 पैकी	0	53	58		169 पैकी	0	84	11
	71	0	08	86		170	0	00	18
	60	0	52	66	लैयाला	257	0	00	23
	69 पैकी	0	02	03	CIAICII	258	0	15	07
	66	0	22	10		235	0	47	55
	61	0	19	55		234	0	42	06
	65 पैकी	0	13	04		237	0	00	54
	63	0	22	72		238	0	04	07
	24 पैकी	0	06	30		239	0	24	50
	27	0	46	49		240	1	59	20
	25	0	10	38		210	0	49	80
	25 15 पैकी	0	06	00		189	0	07	80
	15 पैकी	0	20	00		190	0	54	15
	14	0	44	40		188	0	67	30
	2 पैकी	0	41	40		184	. 0	52	95
	287/1 पैकी	0	06	77		104 175 पैकी	0	13	87
	288	0	30	05		173 940	0	06	35
	289	0	10	00			0	42	07
	225/1	0	37	03		171	0	18	23
	223	0	00	68		170	0	04	95
	224/1	0	04	00		164	0	31	85
	224/1	0	32	71		169	0	48	80
	224/2 230 पैकी	0	22	40		166	0	22	
	230 नजा 218/1/पैकी	0	36	00		155			65
	218/1/पैकी	0	37	31		153	0	59	49
	216/1/पका 216 पैक ी	0	01	20		152	0	00	36
	216 पैकी 216 पैकी	0	01	07	सुधाघुना	57	0	51	15
	216 पका 215 पैकी	0	50	00		67	0	99	00
	215 पेका 215 पैकी	0	30			68 पैकी •	0	50	00
	215 पका 215 पैकी	0	33	00 44		68 पैकी	0	13	60
		0				69/1 पैकी	0	32	13
	189/2 पैकी 189/2 फै री	0	11	40		69/2	0	17	00
	189/2 पै की		06	80		75	0	20	17
	189/1 पै की	0	57	40		76	0	08	05
गढं ड १	205	0	01	71	ףן	हा. सं. आर-3 1 0)15/29/96	3-ओअ	ार. II
	206	0	60	61	_		ो. कटो		
	207	0	43	50		٦٠. ١١	4.41	.,, ., .,	w

भाग [[—-खंड 3 (ii)] भारत का राजपत्र : अवतूबर 4, 199	//आ।श्वन ।	2, 1919			4//5
	1)	(2)	(3)	(4)	(5)
New Delhi, the 30th September, 1997		85 Paiki	0	39	10
		85 Paiki	0	39	20
CO SE CONTRACTOR A SECURITION OF A SECURITION		84 Paiki	0	44	55
S.O. 2.5 00 :- Whereas by the notification of the Government of India in the Ministry of Petroleum		83 Paiki	0	25	00
and Natural Gas No. S. O 902 dated the 19th		83 Paiki	0	51	02
March 1997, issued under sub-section (1) of section		82 Paiki	0	44	70
3 of the Petroleum and Minerals Pipelines		82 Paiki	0	33	00
(Aquisition of Right of User in Land) Act, 1962 (50		89/1	0	27	00
of 1962), (hereinafter referred to as the said Act),		89/1	0	26	55
the Central Government declared its intention to		90 Paiki	0	69	15
acquire the right of user in the lands specified in the		127 Paiki	0	66	90
Schedule appended to that notification for the purpose of laying pipelines for the transport of		128 Paiki	0	58	39
petroleum products;		128 Paiki	0	47	15
potroioum producis,		138 Paiki	0	29	00
And whereas, the copies of the said gazette		138 Paiki	0	28	98
notification were made available to the public on the		137 Paiki	0	14	19
5th day of April, 1997;		137 Paiki	0	16	00
		136	0	18	30
And whereas, the competent authority in		196	0	19	05
pursuance of sub-section (1) of section 6 of the said		199	0	16	80
Act has made his report to the Central Government;		198	0	17	70
And whereas, the Central Government after		255 Paiki	0	33	76
considering the said report is satisfied that the right		255 Paiki	0	34	00
of user in the lands specified in the Schedule		256 Talki	0	47	93
appended to this notification should be acquired;	Hamapar	228	0	55	80
	iamapai	227	0	11	65
Now, therefore, in exercise of the powers		227 226 Paiki	0	40	00
conferred by sub-section (1) of section 6 of the said		226 Paiki			
Act, the Central Government hereby declares that the right of user in the land specified in the Schedule			0	39	40
appended to this notification are hereby acquired;		225	0	20	02
appointed to ano normalism are noticely dequired,		224/2	0	32	00
And further in exercise of the powers		224/2	0	32	58
conferred by sub-section (4) of the said section, the		219	0	73	80
Central Government hereby directs that the right of		218 Paiki	0	44	02
user in the said lands shall instead of vesting in the		217 Paiki	0	27	98
Central Government, vest, free from all		216 Paikı	0	51	07
encumbrances, in the Bharat Oman Refinaries Limited.		200	0	33	60
Schedule		199	0	41	85
001104410		198 Paiki	0	16	00
Taluka: Dhrol District: Jamnagar State: Gujarat		198 Paiki	0	16	18
Name of Survey/Block Area		197 Paikı	0	63	30
Village Number Hectare Are Centare		194 Paiki	0	60	83
(1) (2) (3) (4) (5)		182 Paiki	0	27	30
Rojhiya 78 Paiki 0 21 25		183 Paiki	0	27	05
78 Paiki 0 18 00		183 Paiki	0	25	00
		147 Paiki	0	95	70

(1)	(2)	(3)	(4)	(5)	(1)	(2)	(3)	(4)	(5)
`- !	146	0	70	13		212 Paiki	0	38	00
Mota Itala	41/2 Paiki	0	18	84		212 Paiki	0	39	86
	41/2 Paiki	0	44	00		224/1	1	83	09
	40	0	02	22		214/2 Paiki	0	52	63
	42/1/2 Paiki	0	70	24		177	0	64	95
	42/1/2 Paiki	0	04	70		175	0	41	00
	43 Paiki	0	31	05		172 Paiki	0	06	48
	44 Paiki	0	59	10		169 Paiki	0	50	()(
	70 Paiki	0	53	58		169 Paiki	0	84	l
	71	0	08	86		170	0	00	13
	60	0	52	66	Laiyala	257	0	00	23
	69 Paiki	0	02	03		258	0	15	07
	66	0	22	10		235	0	47	5:
	61	0	19	55		234	0	42	00
	65 Paiki	0	13	04		237	0	00	54
	63	0	22	72		238	0	04	0,
	24 Paiki	0	06	30		239	0	24	5
	27	0	46	49		240	1	59	2
	25	0	10	38		210	0	49	8
	15 Paiki	0	06	00		189	0	07	8
	15 Paiki	0	20	00		190	0	54	1
	14	0	44	40		188	0	67	3
	2 Paiki	0	41	40		184	0	52	9
	287/1 Paiki	0	06	77		175 Paiki	0	13	8
	288	0	30	05		172	0	06	3
	289	0	10	00		171	0	42	0
	225/1	0,	37	03		170	0	18	2
	223	0	00	68		164	0	04	9.
	224/1	0	04	00		169	0	31	8
	224/2	0	32	71		166	0	48	8
	230 Paiki	0	22	40		155	0	22	6.
	218/1/Paiki	0	36	00		153	0	59	4
	218/1/Paiki	0	3.7	31		152	0	00	3
	216 Paiki	0	01	20	Sudhaghuna	57	0	51	1
	216 Paiki	0	01	07		67	0	99	0
	215 Paiki	0	50	00		68 Paiki	0	50	0
	215 Paiki	0	30	00		68 Paiki	0	13	6
	215 Paiki	0	33	44		69/1 Paiki	0	32	13
	189/2 Paiki	0	11	40		69/2	0	17	00
	189/2 Paiki	0	06	80		75	0	20	1.
	189/1 Paiki	0	57	40		76	0	08	0:
Gadhada	205	0	01	71		[File No. R-3	1015/29	9/96-C	R.II
	206	0	60	61					
	207	0	43	50		K. C. Ka	toch, U	nder S	бесу
	208/Paiki	0	46	20					

नई दिल्ली, 30 सितम्बर, 1997

का.आ. 2.5 ०३ १ —केन्द्रीय सरकार को यह प्रतीत होता है कि लोकहित में ऐसा करना आवश्यक है कि पश्चिमी बंगाल राज्य के हिल्दिया से बिहार राज्य के बरीनी तक पैट्रोलियम ∮उत्पादों के परिवहन के लिए इंडियन ऑयल कारपोरेशन लिमिटेड द्वारा पाइपलाइन बिछाई जानी चाहिए.

और यह प्रतीत होता है कि ऐसी पाइपलाइनें बिछाने के प्रयोजन के लिए इस अधिसूचना से उपाबद्ध अनुसूची में वर्णित भूमि में उपयोग के अधिकार का अर्जन करना आवश्यक है .

अतः, अन, केन्द्रीय सरकार, पेट्रोलियम और खनिज पाइपलाइन १भूमि में उपयोग के अधिकार का अर्जन अधिनियम, 1962 \$1962 का 50 की धारा 3 की उपधारा \$1 के प्रदत्त शिक्तयों का प्रयोग करते हुए उनमें उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा कर दी है,

उक्त अनुसूची में वर्णित भूमि में हितबद्ध कोई व्यक्ति उस तारीख से, जिसको, भारत के राजपत्र में यथा प्रकाशित इस अधिसूचना की प्रतियाँ साधारण जनता को उपलब्ध करा दी जाती हैं, इक्कीस दिन के भीतर भूमि के नीचे पाइपलाइन बिछाने के सम्बन्ध में या उनमें उपयोग के अधिकार का अर्जन करने सम्बन्धी लिखित रूप में आक्षेप श्री प्रदीप गोबिन्दा चौधरी, सक्षम प्राधिकारी, इंडियन ऑयल कारपोरेशन लिमिटेड, हिल्दमा - बरौनी पाइपलाइन परियोजना, डाकचर-खंजनचक, बासुदेवपुर, जिला - मिदनापुर ∮पिशचमी बंगाल -721602∮ को कर सकेगा।

अनुस्ची

पुलिस थाना	ः रैना	जिलाः बद्दवान	रींज	थ : पश्चि	मी बंगाल
*.	अध्यिषारिता			क्षेत्र	
गाँव	सूची संरज्या	प्लॉट सं •	हेक्टेयर	अगरे	संही आरे
1	2	3	4	5	´6
कामर हटी	174	3433	•	19	43
		3456	0	0	40
		3130	0	9	71
माधबीदही	184	855	0	30	76
		884	0	11	33
आलम्पुर	183	1392	٥	1	62
जोत्राध्यवः	180	785	0	4	45
		601	0	12	5 5
प्यारम	124	1386	0	2	43

पुलिस	थीनाः	खण्डधीस
		- · -

(1)	(2)	(3)	(4)	(5)	(6)
बड़ा जोपीनाधपुर	102	211	0	0	4.0
काम देवपुर	95	1245	o	0	81
<i>नु</i> धिला े	76	4717	0	2	83
<i>जला</i> दिपुर	82	143	0	1	21
कृष्णा पु र कुकरा	83	276	O	3	24
शंकरी	70	7033	0	0	40
		7247	0	6	64
सासंगा	58	2385	0	0	20
		3299	0	3	24
		3298	0	0	81
		2371	0	9	71
चाग्राम	84	2383	o	8	9

पुलिस थाना : गलसी

(1)	(2)	(3)	(4)	(5)	(6)
कोनारपुर	161	2934	0	36	78
		2910	O	8	10
<u>बैलग्राम</u>	152	3698	0	5	67
		3747	0	O	81
		3512	0	O	81
		3416	0	0	40
		3176	O	1	21
		3177	Ó	4	5
		3178	0	2	43
सतीनं दी	149	5436	0	10	93
		4243	0	9	71
		4210	0	4	86

[भाग II—खंड 3 (ii)]	भारत का राजपत्र :	अक्तूबर ४, १९९७/आरि	वन 12, 1919		4779
(1)	(2)	(3)	(4)	(5)	(6)
		3973	0	0	20
		2094	o	8	9
		2019	o	7	28
हिंदून	147	4474	o	0	81
-		2968	o	2	83
		2975	o	4	45
		2999	0	1	62
		3013	o	8	9
		3018	o	2	2
		3094	0	3	24
चान्ना	146	2,552	0	3	24
		2376	0	0	20
		4302	0	٥	20
		4254	0	0	40
		4239	0	0	40
		2705	0	10	12
~		4316	0	3	24
पुर्तिस थाना :	<i>म</i> ार				
(1)	(2)	(3)	(4)	(5)	(6)
ओरण्याम	11	972	0	5	26
		640	0	5	67
पुर्गिसः थान।	: ओशग्राम				~~~~~
(1)	(2)	(3)	(4)	(5)	(6)
करगर्जी	176	1156	0	0	20
		1144	0	4	45
		1143	0	0	40
		1093	0	7	28

	~	n	Λ
4	•	ж	

THE GAZETTE OF INDIA: OCTOBER 4, 1997/ASVINA 12, 1919	THE GAZETTE	OF INDIA	: OCTOBER 4.	. 1997/ASVINA	12, 1919
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[PART II—SEC. 3(ii)]

	THE OAZETTE OF INDIA	OCTOBER 4, 1	77//ASVINA 12	2, 1919	TAKI II—SEC. 3(II)]
(1)	(2)	(3)	(4)	(5)	(6)
		1094	0	12	95
		1097	0	3	64
		1099	0	5	67
		1073	o	4	45
		1091	0	o	40
		1087	o	o	20
		1098	0	0	81
		1071	O	0	40
ਮ s T	175	3075	0	0	20
		2927	O	0	20
		2967	0	0	zò
		421	o	8	90
		404	0	4	45
		396	0	1	21
		379	0	5	26
		812	Ô	0	20
0		416	O	O	20
बै लारी	177	3971	0	4	45
बलग्राम	158	1201	O	5	67
		8092	0	4	5
		8102	o	5	67
		4051	0	3	78
		4781	٥	0	20
		3428	Ŏ	1	21
		7089	0	0	93
		3918	0	2	54
		7848	0	0	91

<u>चिल्हा</u>	161	1499	O	3	64
		1178	0	5	67
		23	0	O	20
		1534	0	ī	O
<i>गुसकरा</i>	158	3522	0	1	21
		3157	O	2	2
अली लया	154	3079	0	0	20
		734	o	3	24
		329	0	3	٤4
		3512	O	3	60
		3626	0	1	62
		3386	O	2	23
		3403	0	í	62
		199	0.	2	2
बैनुति सोमयपुर पुनिसं <i>धाना</i> :	121	1931	0	1	21
सोमयपुर	152	1	O	o	10

(1)	(2)	(3)	(4)	(5)	(6)
माली	20	1157	0	1	21
		13	0	1	21
		2505	0	17	16

[फा. मंं. आर 31015/22/97 ओ आर I] के. सी. कटोच, अवर संचिव

235763/2-201.

New Delhi, the 30th September, 1997

S.O. 2502: Whereas, it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum (products) from Haldia in the State of West Bengal to Barauni in the State of Bihar, pipelines should be laid by the Indian Oil Corporation Limited;

And whereas, it appears that for the purpose of laying such pipelines it is necessary to acquire the right of user in the land described in the Schedule annexed to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum and Minerals pipelines (Aquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Any person, interested in the land described in the said Schedule may within twenty one days from the date on which the copies of this notification, as published in the Gazette of India, are made available to the general public, object in writing to the acquisition of the right of user therein or laying of the pipelines under the land to Shri Pradip Gobinda Chowdhuri, competent authority, Indian Oil Corporation Limited, Haldia - Barauni Pipeline Project, Post Office - Khanjanchak, Basudevpur, District Midnapur (West Bengal - 721602).

Schedule

Police Station: Raina		District: Burdwan		State: West Bengal	
Village	Jurisdiction List No.	Plot No.	Area		
			Hectares	Ares	Centiares
(1)	(2)	(3)	(4)	(5)	(6)
Kamarhati	174	3433	0	19	43
		3456	O	o	40
		3130	o	9	71
Madhabdihi	184	855	O	30	76
		886	0	11	33
Alampur	183	1392	0	1	62
Alampur Jot Raghab	180	785	0	4	45
		601	o	12	55
Dharan	124	1386	0	2	43

(1)	(2)	(3)	(4)	(5)	(B)
Bara Gopinathpur	102	211	0	0	40
Ramdebpur	95	1245	0	0	81
Jubila	76	4717	0	2	83
Alladipur	82	143	0	1	21
Krishnefur Kukra	83	276	o	3	24
Shankin	7 0	7033	0	0	40
		7247	0	6	64
Sasang-i	58	2385	0	0	20
		3299	0	3	24
		3298	0	0	81
		2371	o	9	71
Chagram	84	2383	o	8	9

. olice Station: Galsi

(1)	(2)	(3)	(4)	(5)	(6)
Kenarpur	161	2934	0	36	78
		2910	0	8	10
Belgram	152	3698	o	5	67
u		37 47	o	0	81
		3512	0	o	81
		3416	0	o	40
		3176	0	1	21
		3177	0	4	5
		3178	0	2	43
(- T)					

(1)	(2)	(3)	(4)	(5)	16)
satinandi	149	5436	0	10	93
State of the State		4243	٥	9	71
		4210	0	4	86
		3973	0	0	20
		20 94	o	8	9
		201 9	0	7	28
Hitta	147	4474	0	0	81
		2968	0	2	83
		297 5	0	4	45
		2999	0	1	62
		3013	0	8	9
		3018	0	2	2
		3094	0	3	24
Channa	146	25 52	0	3	24
		2376	0	0	20
		4302	0	Ò	20
		4254	0	0	40
		4239	0	0	40
		2705	٥	10	12
		4316	0	3	24
Police Statio	on: Bhatar				
(1)	(2)	(3)	(4)	(5)	(b)
(1) Orgram	11		0	5	26
Ø		640	0	5	67

Police Station: Aushgram

		<u></u>			
(1)	(2)	(3)	(4)	(5)	(6)
(1) Karanji	176	1156	0	0	20
V		1144	0	4	45
		1143	0	o	40
		1093	0	7	28
		1094	0	12	95
		1097	O	3	64
		1099	0	5	67
		1073	0	4	45
		1091	O	0	40
		1087	0	o	20
		1098	0	o	81
		1071	0	o	40
Bhada	175	3075	0	o	20
		2927	0	0	20
		2867	0	0	20
		421	0	8	90
		404	0	4	45
		396	٥	1	21
		379	0	5	26
		812	0	0	20
		416	0	o	20
Belari	177	3971	٥	4	45
Belgran Belgran	168	1201	o	5	67
•		3092	0	4	5
		8102	0	5	67

(1)	(2)	(3)	(4)	(5)	(6
		4051	0	3	78
		4781	0	o	20
		3428	0	1	21
		7089	o	0	93
		3918	o	2	54
		7848	o	0	81
nibda	161	1499	o	3	64
		1178	O	5	67
		23	o	0	20
		1534	0	i	0
ushkara	158	3522	o	1	21
		3157	o	2	2
ıutia	154	3078	0	0	20
		734	0	3	24
		329	0	3	64
		3512	٥	3	60
		3626	0	1	62
		3386	0	2 .	23
		3403	٥	1	62
		199	0	2	2
se Luti	121	1931	0	i	21
omaipur	152	1	0	0	10
olice Statio	n: Burdwan	~~~~~~			
(1)	(2)	(3)	(4)	(5)	(6)
Nala	20	1157	0	1	21

[File No. R-31015/22/97-OR.I] K. C. KATOCH, Under Secy.

श्रम मंत्रालय

नई दिल्ली, 11 धगस्त, 1997

का. आ. 2502 - भौद्योगिक विवाद श्रधिनियम. 1947 (1947 का 14) की धारा 17 के श्रनसरण केन्द्रीय सरकार में. बी.सी.सी.एल. के प्रबन्धतंत्र के नियोजको कर्मकारों के संबद्ध श्रीर उनके श्रन बन्ध में निर्दिष्ट ग्रीद्योगिक विवाद में केन्द्रीय सरकार श्रीद्योगिक अधिकरण (सं. 1) धनवाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 10-8-97 को प्राप्त हुआ, था।

> [सं. एल-20012/127/92-म्रार्ट्टभार (सी-I), एल-20012/474/94-म्रार्ट्टभार (सी-I)] मज मोहन, उँक्त अधिकारी

MINISTRY OF LABOUR

New Delhi, the 11th August, 1997

S.O. 2502.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal (No. 1), Dhanbad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. B.C.C.L. and their workman, which was received by the Central Government on 10-8-1997.

[No. L-12012/127/92 TR(C-I), L-20012[474]94-IR(C-I)]

BRAJ MOHAN. Desk Officer.

ANNFXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 1) AT DHANBAD

PRESENT:

Shri T. Prasad, Presiding Officer. In the matter of Industrial Disputes under Section 10(1)(d) of the I. D. Act, 1947.

REFERENCE NO. 156 OF 1994.

PARTIES

Employers in relation to the management of Damoda Colliery of M/s. B.C.C.L. and their workmen.

(Minⁱstry's Order No. L-20012(127)/92-I. R. (Coal-I) dated 20-7-1994.)

Reference No. 72 of 1995

Employers in relation to the management of Damoda Colliery of M/s. B.C.C.L. and their workmen.

(Ministry's Order No. L-20012/474/94-I.R. Coal-I, dated, the 23rd June, 1995).

APPEARANCES:

On behalf of the workmen: Shri D. Mukherjee Secretary, B.C.K.U.

On behalf of the employers: Shri B. Joshi, Advocate.

STATE: Bihar.

INDUSTRY: Coal.

Dated. Dhanbad, the 1st August, 1997

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I. D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order Nos. referred to above with the following schedules:—

SCHEDULE IN REF. NO. 156 OF 1994

"Whether the action of the management of Damoda Collicry of M/s. B.C.C. Ltd., P. O. Nawagarh, dated Dhanbad in denying regularisation and payment of wages as per N.C.W.A. to S/Shri Kasto Munda and 121 others (as per list annexed) is justified? If not, to what relief are the concerned workmen entitled?"

LIST OF WORKMEN

SI. No. Name & Address

- Samin Kumar Mukherjee S/O Parbatich Mukerjee Vill. Karanda P.O. K. Karanda, Dt. Burdwan (WB).
- Shanker Chouhan
 S/o Sita Ram Chouhan
 Vill. Belatand,
 P.O. Karmatand,
 Distt. Giridih (Bihar).
- Anil Kumar Srivastava S/o Jawala Pd. Srivastava Vill. Dahibhata,
 P.O. Dahibhata,
 Distt. Gopal Gunj (Bihar).
- Saroj Mehta
 S/o Manoranjan Mehta
 Vill. Jamatara
 P.O. Jamatara
 Distt. Dumka (Bihar).

- Deepak Thakur S/o Late Sahadeo Thakur Vill. Bahadurpur P.O. Baroo, Distt. Giridih (Bihar).
- Sewak Sharma
 S/o Geonarayan Sharma
 P.O. Shakuna
 Distt. Bhagalpur (Bihar).
- Prahallad Rawani
 Jugal Rawani,
 Vill. Jharna Basti,
 P.O. Karmatand (Giridih).
- Krishan Kumar Pandey
 Udhew Pandey
 Vill. Ghuaajar
 P.O. Dariyapur
 Distt. East Chaparan (Bihar).
- Jeinaryan Singh S/o Late Ramchandra Singh Vill. Mirgunj P.O. Mirgunj, Distt. Nawada (Bihar).
- Ram Vaja Yadav S/o Suraj Yadav Vill. Chanda Kewatia P.O. Chanda Kewatia Distt. Bhajpur (Bihar).
- Anil Kumar Mahato S/o Sahadeo Mahato Vill. Nunudih P.O. Patherdih Distt. Dhandbad.
- Rajeswar Jha
 C/o Late Bindeswar Jha
 Vill. Purani Bagyari
 P.O. Bagda
 Distt. Giridih (Bihar).
- Shiv Kumar Singh
 S/o Late Ram Gulam Singh
 Vill. Sahanura
 P.O. Chaknawada
 Distt. Patna (Bihar)
- 14. Uday Kumar SinghS/o Baiknth SinghVill. BarwadihP.O. Harihar GanjDistt. Aurangabad (Bihar).
- Ajoy Singh
 S/o Late Ram Gulam Singh
 Vill. Sahanara
 P.O. Chaknawada
 Distt. Patna (Bihar).

- Ramkrishan Singh
 Vill. Dudhmi
 P.O. Jaihindh Tindua
 Distt. Aurangabad (Bihar).
- Md. Latif
 S/o Md. Idadata Ali
 Vill. Sukandik
 Distt, Dhandbad (Bihar).
- 18. Birendra Prasad S/o Kadar Prasad Vill. Dumran P.O. Dumran Distt. Arrah (Bihar)
- Maharu Mahato
 S/o Jagu Mahato
 P.O. Vill. Karmatand
 Distt. Giridih (Bihar).
- Punit Nonia
 S/o Budhan Nonia
 Vill. Sijua Basti
 P.O. Karmatand
 Distt. Giridiha.
- Sahdeo Mahato
 S/o Hari Mahato
 Vill. Fathepur
 P.O. Nassa,
 Distt. Giridih (Bihar).
- Rewatlal Mahato
 C/o Lakhi Mahato
 Vill. Ratari Bandih
 P.O Dugda Distt. Giridih.
- Ramnath Yadav
 C/o Bisheswar Yadav
 Vill. Chanda Kewatia
 P.O. Chanda Kawatia
 Disst. Bhojpur (Bihar)
- 24. Akhilesh Kumar Singh
 C/o Ram Kumar Singh
 Vill. Kandap, P.O. Kandap, Distt.
 Patna (Bihar)
- Dhananjoy Kha
 C/o Kanahilal Kha
 Vill. Suri Beda
 P.O. Mandal Keshra
 Distt. Bakura (WB).
- 26. Hirdynanand Tiwari
 S/o Sita Ram Tiwari
 Vill. Ban Birla
 P.O. Pati Jasawli
 Distt. East Champaran (Bihar).
- 27. Muktar GodeS/o Ganga GodeVill. HatimpurP.O. Hatimpur Distt. Dewria (UP).

- 28. Sahdeo Yadav S/o Chalo Yadav Vill. Pio P.O. Barih Distt. Haza ribagh (Bihar).
- Jayshankar Singh
 S/o Late Ramjanam Singh
 Vill. Giduspur
 P.O. Bariarpur
 Distt. Vajshali (Bihar).
- Baran Singh
 S/o Late Ram Gutam Singh
 Vill. Sahnaura
 P.O. Chakna Wada
 Distt. Patna.
- 31. Ratilal Mathto S/o Lakhu Mahato Vill. Karmatand Distt. Giridih (Bihat).
- Gajendra Singh S/o Late Ramkaran Singh Vill. Matayan P.O. Jisyata Distt. Vaishali (Bihar).
- Ghanshayam Mahato S/o Chanu Mahato Vill. Jaranari P.O. Jaranari Distt. Giridih (Bihar).
- 34. Manager CnoudharyS/o Dukhi ChoudaryVill. Ahir WaliaP.O Dharam ParsarDistt. Gopalgani (Bihar).
- 35. Umesh Sharma
 S/o Motilal Sharma
 Vill. Udhadih
 P.O. Udhadih
 Distt. Bhagalpur
 Vill Shitab Dear
 P.O. Jai Prakash Nagar
 Distt. Ballia (UP).
- Birendra Ray
 S/o Ramjee Roy
 Vill. Shitab Dear
 P.O. Jai Prakash Nagar
 Distt. Ballia (UP).
- 37. Shiv Shankar Mondal S/o Lakhu Mondal Till & VO Telo Distt. Giridih (Bihar).

- 38. Manoj Kumar Singh S/o Late Umesh Pd. Singh Vill. P.O. Ramchua Distt. Bhagalpur.
- 39. Lallan Yadav S/o Daraga Yadav Vill. Chhitauni, P.O Chhitauni Distt. Balia. (U.P.)
- Subbash Chandra Giri S/o Dharmnath Giri Vill. P.O. Kanhara Distt. Chapra.
- 41. Jewaki Chauhan S/o Late Keshwar Chauhan P.O. Karmatand Vill. Damoda Distt. Giridih (Bihar).
- 42. Inder Chauhan
 S/o Late Nandlal Chauhan
 Vill. Damoda
 P.O. Karmatand
 Distt. Giridih (Bihar).
- Kapichand Chauhan S/o Parmeshwar Chauhan Vill P.O. Amani Dist. Aurangabad (Bihar)
- 44. Kania ChauhanS/o Arjun ChauhanVill. Sijua BastiP.O. Karmatand Dist. Giridin (Bihar)
- 45. Kailash Roy S/o Jhani Roy Vill. Juya Basti, P.O. Esani Dist. Giridih (Bihai)
- 46. Baijnath RoyS/o Jhani RoyVill. Juya Basti, P.O. Esani JDist. Giridih Bihar
- 47. Bsisth SinghS/o Late Suro SinghVill. Narayanpur P.O. Hasan BazarDist. Bhojpur
- Rohat Kewat
 S/o Fallu Kewat
 Vill. Dugda Basti
 P.O. Karmatand Dist. Giridih
- Soma Ram Mahto
 S/o Late Agnu Mahto
 Vill. Bhela Jand
 P.O. Karmatand Dist. Giridih

- 50. Gandhi Mahato S/o Jhanu Mahato Vill Chanduadih P.O. Dugda (Giridih)
- 51. Gagdish Mahato S/o Late Sona Ram Mahato Vill Patra Kuli Sigua P.O. Karmatand Dist. Giridih
- 52. Gagdish Roy Jetu Rov Vill Dugda Basti P.O. Karmatand Dt. Giridih
- 53. Karmu Rawani S/o Gando Rawani Vill Filiharia P.O. Karmatand Dt. Giridih
- 54. Kali Biswa karma S/o Late Radhu Biswa Karma Vill Dugda Basti P.O. Karmatand Dt. Giridih
- 55. Rohani Roy S/o Sukan Roy Vill. Dugda Basti P.O. Karmatand Dt. Giridih
- 56. Suraj deo Shaw S/o Triguhn Shaw Vill Dugda Basti P.O. Karmatand Dt. Giridih
- 57. Kirty Pandey S/o Dhanan Pandey Vill. Dugda Basti P.O. Karmatand Dist. Giridih
- 58. Fulchand Shaw S/o Late Raghu Shaw Vill Dugda Basti P.O. Karmatand Dt. Giridih
- 59. Eliash Khan S/o Md. Aziz Khan Vill Dugda Basti P.O. Karmatand Dt. Giridih
- 60. Rishideo Singh S/o Babulal Singh Vill. Dugda Basti P.O. Karmatand Dt. Giridih
- 61. Lal Mohan Chauhan S/o Ramdeo Chauhan Vill Damoda P.O. Karmatand Dt. Giridih
- 62. Balram Mahato S/o Kunahi Mahato Vill Sijua P.O. Karmatand Dt. Giridih

- 63. Sukhlal Mahato Late Korachi Mahato Vill Bhetatand P.O. Karmatand Dt. Giridih
 - 64. Giridhari Karamkar S/o Arjun Karamkar Vill Siiua P.O. Karmatand Dt. Giridih
 - 65. Bhatua Bhuia S/o Late Samar Bhuia Vill. Karmatand P.O. Karmatand Dt. Giridih
 - 66. Sumir Singh S/o Shivdyal Singh Vill Karmatand P.O. Karmatand Dt. Giridih
 - 67. Mahabir Rajak S/o Jatla Rajak Vill Sijua P.O. Karmatand Dt. Giridih
 - 68. Sarju Kewat S/o Fudhi Kewat Vill Dugda Basti P.O. Karmatand Dt. Giridih
 - 69. Chandeshwar Bhagat S/o Late Karela Bhagat Vill Kachapara P.O. Arani Dt. Gumla Ranchi
 - 70. Mahanand Rajak S/o Hemlal Rajak Vill. Puri P.O. Ropie Dt. Purulia
 - 71. Ghandhi Chakrawarti S/o Sita Ram Chakrawarti Vill Dugda P.O. Karmatand Dt. Giridih
 - 72. Jariki Mahato S/o Khalu Mahato Sijua P.O. Karmatand Dist. Giridih
 - 73. Bhola Gope S/o Late Moti Gope Vill Dugda P.O. Karmatand Dt. Giridih
 - 74. Gullo Gope S/o Late Moti Gope Vill. Dugda P.O. Karmatand Dt. Giridih
 - 75. Dilip Gope S/o Namechand Gope Vill Dugda P.O. Karamtand Dt. Giridih

- 76. Fulchand RoyS/o Naravan RoyVill AngbaliDt. Giridih
- Durga Pd. Roy
 S/o Meghu Roy
 Vill Dugda
 P.O. Karmatand Dt. Giridih
- Shankar Chauhan
 S/o Nandlal Chauhan
 Vill Damoda
 P.O. Karmatand Dt. Giridih
- 79. Radhey Singh S/o Raj Balli Singh Vill Shakhipur P.O. Utar Sherghu Dt. Gaya
- Laxaman Karmakar
 S/o Arjun Karmakar
 Vill Sijua Patrakuli
 P.O. Karmatand Dt. Giridih
- 81. Gopal Chakrawarti S/o Sita Ram Chakrawarti Vill Dugda P.O. Karmatand Dt. Giridih
- 82. Fulchand Mahato S/o Late Puran Mahato Vill. Sijua P.O. Karmatand Dt. Giridih
- 83. Tilak Mahato S/o Bodi Mahato Vill Sijua P.O. Karmatand Dt. Giridih
- 84. Tulsi MahatoS/o Late Adhnu MahatoVill. KarmatandP.O. Karmatand Dt. Giridih
- 85. Babatalal MahatoS/o Lato Bhali MahatoVill BhelatondP.O. Karmatand Dt. Giridih
- 86. Bharirath Mahato S/o Late Khudan Mahato Vill. Chanduadih P.O. Dugda Dt. Giridih
- 87. Kisari SinghS/o Paras SinghVill, Udhadik P.O. UdhadihDt. Bhagalpur (Giridih)
- 88. Gaju Shaw S/o Late Chamari Shaw Vill, Karmat and P.O. Karmatand Dt. Giridih

- 89. Pravesh Rajak S'o Late Gujan Rajak Vill. Kurumba P.O. Chandrapura Dt. Giridih
- 90. Devilal Mahato
 S/o Ganduni Mahato
 Vill. Bhalatand P.O. Karmatand
 Dt. Giridih
- 91. Mohan Munda S/o Late Shari Munda Vill. Bhalatand P.O. Karmatand Dt. Giridih
- 92. Kesto Munda S/o Late Janak Munda Vill. Baragha P.O. Jupki Misan Dt. Ranchi
- Kishan Pradhan
 S/o Bakhan Pradhan
 Vill Dumka pada P.O. Dunka pada
 Dt. Ganjam (Orissa)
- 94. Mahandan Yadav S/o Shivdhar Yadav Vill Amari P.O. Amari Dt. Aurangabad
- Dwarika Chauhan
 S/o Gagdish Chauhan
 Vill. Simla Bahal Basti
 P.O. Bhaghaband Dt. Dhanbad
- Dinanath Chauhan
 S/o Dewki Chauhan
 Vill Damoda P.O. Karmatand
 Dt. Giridih
- Mohon Singh S/o Rajnandan Singh Vill. Jagdhar, P.O. Tekari, Dt. Giridib.
- 98. Binduwa Rawani S/o Late Sineshwar Rawani Vill Taraya P.O. Bara Dt. Bhagalpur
- Sukhdeo Noniya
 S/o Kameshwar Noniya
 Vill. Charhara P.O. Koch,
 Dt. Gaya
- 100. Rajkumar ChauhanS/o Banua ChauhanVill. Jay Ram dihP.O. Dumra Dt. Dhanbad
- 101. Janki KaminW/o Bhagirath ChauhanVill. Sijua PahaariP O Karmatand Dt Giridih

- 102. Chandra Muni Kamin W/o Chandaswar Bhagat Vill Kacha Para P.O. Auragi Dt Gumla Ranchi
- 103. Kamli Kamin S/o Late Moti Kamar Vill. Sijua Patrakuli P.O. Karmatand Dt. Giridih
- 104. Ambia Kamin W/o Late Biswanath Mahato Vill. Sijua Pahari, P.O. Karmatand Dt. Giridih
- 105. Alki Kamin W/o Ram Bilash Mohali Vill. Sijua Pahari P.O. Karmatand Dt. Giridih
- 106. Parbati Kamin W/o Indar Chauhan Vill. Damoda P.O. Karmatand Dt. Giridih
- 107. Bijli Kamin W/o Shalku Mahato Vill Damoda P.O. Karmatand Dt. Giridih
- 108. Phani Mahato S/o Ghatu Mahato Vill. Sijua Patrakuli P.O. Karmatand Dt. Giridib
- 109. Jamuni Kamin Tarapada Shaw Vill. Thalda Dt. Purnia
- 110. Jasada Kamin S/o Sukan Munda Vill. Baridih P.O. Omanjhi Dt. Ranchi
- 111. Nemia Kamin W/o Phani Mahato Vill Sijua Patakuli P.O. Karmatand Dt. Giridih
- 112. Sandip Mukhopadhyay S/o Satyanarayan Mukhopadhyay Vill & P.O. Rarbatpur Dt. Burdwan (WB)
- 113. Tulshi Mahato C/o Doman Mahato Vill Patrakuli P.O. Karmatand Dt. Giridih
- 114. Nirinjan Gope S/o Hira Gope Vill. Phuljharia P.O. Dugda Dt. Giridih

- 115. Pukeshwar Mahato S/o Lakhi Ram Mahato Vill Vikhnidih P.O. Jatni Dt. Dhanbad
 - 116. Rohan Mahato S/o Thakur Mahato Vill. Gumbhara Basti P.O. Sabaranpur Dt. Giridih
 - 117. Kalicharan Mahato S/o Late Nanku Mahato Vill. Chandudih P.O. Dugda Dt. Giridih
 - 118. Mahabir Prasad Singh S/o Ramkusan Singh Vill. Gopalpur P.O. Gopal Pur Dt. Patna
 - 119. Baneshwar Mahato S/o Late Sonu Mahato Vill. Bandha P.O. Karmatand Dt. Giridih
 - 120. Panachanand Das S/o Vime Das Vill. Karmatand P.O. Karmatand Dt. Giridih
 - 121. Kapil Nath Rath S/o Jagarnath Rath Vill. & P.O. Pundamari Dt. Ganjam Orissa.
 - 122. Sita Ram Karmkar S/o Arjun Karmkaı Vill. Sijuwa Patrakuli P.O. Kaimatar Dt. Giridih (Bihar) It is a public sector Coal Industry.
 - J. BAGE Assit. Labour Commissioner (C) Dhanbad - 11

SCHEDULE IN REF. No. 72 OF 1995.

"Whether the demand of the Union for regularisation by the Principal employer, viz. management of Damoda Colliery of M/s. B.C.C.L. of Shii Bijender Rabidas and 14 others (as per list given below) employed through contractor is legal and justified in the light of the Supreme Court Judgemen, in Dina Nath case? If not, to what rethe light of the Supreme Court Judgement and from which date?"

List of Workmen.

- 1. Shri Kartik Mahto,
- 2. Shri Sohari Mahto,
- 3. Shri Naresh Chauhan.
- 4. Mansha Mahto.
- 5. Sanjay Chatterjee.
- 6. Doman Mahto.
- 7. Chandradev Mahto,
- 8. Bijendra Rabidas.
- 9. Tusashi Chauhan.
- 10. Jethu Manjhi,
- 11. Rameshwar Chaudhary.
- 12. Sunil Singh,
- 13. Dileshwar Mahto.
- 14. Pyarelal Mahto.
- 15. Santosh Mahto.
- 2. Hearing of both the references have been taken up together as analogous and one and same Award is being passed for both the references.
- 3. The workmen and the sponsoring union have appeared in Reference No. 156 of 1994 and filed their W. S. stating therein that they were working since July, 1988 continuously under the direct control and supervision of the management and have completed more than 240 days in each calender year and they are doing the permanent and prohibited nature of job under the direction of the management. It is further said that the workmen in Sl. No. 8 to, 12 of the order of reference were working as Pay Loader Operator and 13 to 22 as Dumper Driver whereas Sl. No. 23 to 29 as Pay Loader Operator Helper and 30 to 37 as Helper to Dumper Driver/Operator and Sl. No. 1 to 6, 38, 39, 112, 117, 119 to 121 were working as General Mazdoor. Nature of jobs of all these categories of workmen have been given in para-11 to 21.
- 3. It is further said that permanent Pay Loader Operator, Dumper Operator, Dumper Khalasies, Pay Loader Khalasies and Mazdoors were receiving their wages as per recommendation of the Coal Wages Board and NCWAs although these workmen were doing imilar nature of job were being paid much less wages compared to the permanent workers. It is further said that the rest of the workers were doing the job of shale picking, wagon leavelling, track cleaning, picking of inferior quality of coal etc and these jobs are permanent and perennial nature of job and all of them were getting very less pay than the recommended pay by NCWAs. It is also said that they are rendering services and producing goods for the benefit of the colliery management. It is further said that disbursement of wages to the workmen were being made in the name of intermediaries which is nothing but in legal camouflage. Statutory registers were also not maintained by the management just to deprive the poor workmen of their legitimtte wages and benefits. It is said that the management has done a perfact paper arrangement to camouflage the real issue.

- 4. It is further said that the implements and other articles are supplied by the management to perform their jobs. The process of loading and transporting and unloading of ceal who the railway wagon are permanent nature of job.
- 5. It is further said that the concerned workmen and the sponsoring union represented before the management several times for regularisation of their jobs and payment of wages as per NCWAs but nothing was done and ultimately an industrial rispute was raised before the ALC(C) Dhanbad demanding for their regularisation and on failure of conciliation report the reference has been made for adjudication to this Tribunal. It is further said that though the dispute was raised before the ALC(C) Dhaubad with their photographs, parentage and address but some typographical mistakes have been made in the annexure to the reference in respect of their names and a list of correct name has been given with the W.S. with a prayer for passing an Award in favour of the workmen.
- 6. The management has appeared and filed W. S stating inter alia that the reference is not legally maintainable and there is no employer and employed relationship between the management and the workmen and it is further said that the case was filed by Shri D. Mukherjee, a practicing Advocate as Secretary of Bihar Colliery Kamgar Union before the ALC(C) Dhanbad it has further said that appearance of Advocate is barred under Section 36 of the I. D. Act and out of this provision Mr. Mukherjee raised objection by the appearance of the lawyer by the management and the present reference is not based on genuine industrial dispute but based on unfair labour practice adopted by the said Shri Mukherjee as Secretary of Bihar Colliery Kamgar Union and no opportunity was given to the management to get the services of lawyer of its choice.
- 7. It is further said that the management gave contract to different parties for transportation of coal from the coal heaps of Damoda Colliery to the railway siding at a distance of 2 K.M. and the transport contractors were required to load the coal by deploy ing pay loaders into dumpers and unloading the same at the siding by hydraulically operated machine and again loading the same in the wagons, rate of per tonne of coal so transported consisted of three different items namely rate for transportation, rate for loading by mechanical means and rate for picking and breaking shale and extraneous materials at the siding & also taking into account the distance for transportation rate was different and payment was made according to the contract for which tender was called and work order was awarded. It is also the responsibility of the contractor to recruit his workmen and to deploy them to different machines as Operators, Khalasies etc. and for the job of picking and breaking coal and to remove shale and other articles. It is also the responsibility of the contractor to engage competent supervisors and assistants to supervise the job and to take all safety precautions as provided under the law. It is further said that the contractor has been made responsible for making payment of wages and other benefits to the contractor's workers as per provision under the Contract Labour (Regulation and Abolition) Act, 1970. It is the duty of

the contractor also to make payment workmen's compensation in the event of accident's of its employees. It is further said that in order to keeps a vigil on proper loading and transporting of coal so that it is not stolen, issuance of challans and check posts were made by the management for making necessary checking and such challans were issued by the Munshies deployed by the management. is further said that the concerned workmen were the workers of the connactor under M/s. Rajkumar and Brothers who was given contract for transportation of coal from Dameda Colliery to NDBJ. 2 and BJ. 6 railway sidings situated at a distance of 1 or two K. M. during the period from 14-8-91 to 31-3-92 and some other contractors were awarded contract and the workinen might have worked under different contractors also.

- 8. It is further said that for the purpose of recruitment under the management names were called for from the employment exchange or by advertisements and after observing all formalities recruitment is made and names of such workmen are entered in the Form B Register maintained by the management but the names of the concerned workmen were not called for from the employment exchange or against any employment notice nor called for by the selection committee and nor any appointment letter was issued to them by the management and no I.D. card was issued to them to show that the workmen and no pay slip was given to them like regular workmen of the management and they were never employed by the management. It is also said that some of the workmen might have worked under different contractors but most of them are jobseekers and they have combined together and they have taken up the case for their employment.
- 9. By way of rejoinder to the W.S. of the workmen the same has been denied specifically parawise and it has further denied that the workmen have completed 240 days in calendar year of regular work and other contentions have also been denied as being incorrect and not fully correct. It is finally said that the workmen are not entitled as claimed and an Award be passed accordingly in favour of the management.
- 10. A rejoinder has also been filed by the workmen to the W.S. of the management denying the contentions of the management specifically and parawise and the same is said to be false, frivolous and motivated and denied. It is also denied that the so-called intermediaries were provided machines and equipments to perform permanent and prohibited nature of the workmen and it also denied that the workmen were working under the competent supervisors appointed by such intermediaries rather they were working under the direct control and supervision of the management. It is finally said that the contention of the management was totally false, baseles and that the claim of the workmen is fully genuine, justified and they are entitled for their regularisation and back wages and an Award be passed accordingly.

- 11. I further find that the workmen and the sponsoring union of Reference No. 72 of 1995 have also appeared and filed their W.S. which is more or less identical as that of above noted Reference No. 156 of 1994. It is, further said that out of 15 workmen of this reference Kartic Mahato was working as Munshi where as Rameshwar Choudhary and Dileswar Mahato was working as Dumper Khalasi and rests were working as General Mazdoor and have completed more than 240 days of attendance in a calendar year as they were working since 1988 continuously and for all practical purposes the workmen were the employees of the management as the management was paying wages to the concerned workmen much below the rate prescribed under the NCWA. It is further said that the alleged contract system is nothing but sham and camouflage and smoke screen just to defeat the genuine demand of the workmen and when their request for their regularisation to the management did not make any result, they raised the dispute before the ALC(C) Dhanbad and on submission of the failure of conciliation report the present reference has been made for adjudication. It is also said that the action of the management is sheer exploitation of the poor workmen considering the general unemployment situation. It is further said that similar disputes of other workmen of the same place was also raised by the union and the same was rejected by the Ministry and when challenged before the Hon'ble High Court, Patna (Ranchi Bench) in C.W.J.C. No. 971/94(R) and the Hon'ble High Court directed the Ministry to refer the dispute for adjudication, which is the aforesaid reference No. 156/94. It is further said that in both the references the facts and the points of law are same and similar and it was prayed that the management be directed to regularise the concerned workmen and to pay atleast Cat. I wages to the concerned workmen with retrospective effect wih full back wages and other benefits.
- 12. I further find that the management has appeared and filed W.S. taking the same pleas as taken in the aforesaid Ref. No. 156/94 and has further submitted that the present reference has to be considered in the light of the decision of the Hon'ble Supreme Court in Dinanath case where it was made clear the contractor workers cannot demand employment under the principal employer during the subsistence of the contract or after abolition of the contract and they are to be treated on different footing from the workmen the principal worker and they cannot demand on the roll of the company for any reason. It is also said that the Hon'ble Supreme Court has clarified in number of decisions that the Tribunals and the Labour Court cannot pass any order for abolition of the contract system on any work after coming into force of Contract Labour (Regulation and Abolition) Act. 1970 & it is the overall respons ibility of the Central Govt, to look into if any contravention in this respect is mad. It is further said that the concerned workmen being the contractor workers are not entitled for absorption under the principal employer under the provision of Contract Labour (Regulation & Abolition) Act and the sponsoring union cannot demand for their regularisation,

- 13. By way of rejoinder to the W.S. of the workmen the same has been denied specifically and parawise and the same is said to be incorrect and denied. I further find that no fresh rejoinder has been filed by the workmen and the sponsoring union in this reference separately.
- 14. On the basis of the pleadings of parties in both the reference the points for decisions are:—
 - (1) Whether the action of the management of Damoda Colliery in denying regularisation and payment of wages as per NCWA to S/Shri Kesto Munda and 121 others is justified or not?
 - (2) Whether the demand of the workmen and the sponsoring union for regularisation by the principal employer namely the management of Damoda Colliery of M/s. B.C.C.L. of Bijendra Rabidas and 14 others employed through contractor is legal and iustified in the light of the Supreme Court judgement in Dinanath Case? and
 - (3) If not, to what reliefs the concerned workmen in both the references are entitled?
- 15. All these points are inter linked and as such they are taken up together for their consideration.
- that the management has 16. I, further find examined one witness MW-1 Shri A. N. Yadav, Agent of Damoda colliery posted there since September, 1984 and he has tried to support the case of the management as given in the W.S. in both the reference. He has admitted that the contractors workers used to pick stone pieces from coal which was checked and supervised by the supervisor of the management at the time of loading but has further added that the concerned workmen are not the workmen of the management. He has also stated that earlier this transportation work and coal loading was done departmentally for which a number of dumpers were purchased and drivers were recruited by the management but the system did not work properly and it has given to the contractor. He has further added that the raising of coal and selling of the same to the parties through different transportation means is a continuous process and in the Damoda Colliery coal is sold through wagons and pay loaders and also through tracks and also admitted that in some of the collieries of BCCL there are permanent truck and wagon loaders, but in Madhuband colliery earlier there were permanent wagon loaders and at present there are no wagon loaders. He has admitted that as per NCWA wagon loading is a permanent nature of job and at present there were some wagon loaders under M/s. BC.C.L. Wagon loading at the railway siding and transportation of coal from the colliery also is done continuously and at the time of loading challans are also prepared and this work goes on three shifts continuously and has further admitted that transportatino and loading of coal is a continuous process. picking and shale picking are done by the workers on regular hasis and some of the concerned workmen also operate dumpers and tracks but he could not say 2357 GI/97-14.

that the workmen have completed more than 240 days attendance in a calendar year and these workmen are being engaged on Sundays by some of the contractors.

- 17. He has further stated that he did not conduct any enquiry about the lo-called failure of the system of transportation and loading of coal departmentally. No document has been filed in case showing breaking down of dumpers and workmen recruited for operation dumpers diverted to other connecting jobs. He could not say that as per NCWA engagement of contractual workmen in any permanent nature of job is prohibited and that the management is not supervising loading of coal at the railway siding. He has further admitted that in coal industry workers are entitled wages as per NCWA and the permanent workmen like dumper and pay loader operators are given wages as per NCWA and the concerned workmen were doing similar nature of job in running the dumper and pay loaders like permanent workers. He also could not say that there are permanent shale pickers under NCWA. He also denied that the demand of the workmen were just fied and all materials were supplied to the workman for transportation work. He could not say that the concorned workmen working since 1978. There is no other witness on behalf of the management.
- 18. WW-1 Mahabir Prasad Singh is one of the workmen and has supported the case as per their W.S. and stated that he was working in Damoda Colliery since July, 1978 and he identified the workmen and is adducing on behalf of all the workmen. He has stated that coal from Damoda colliery pit head is carried to the railway siding by dumper loaded by pay loaders and there are check posts for checking dumper loaded by pay loaders and there are check posts for checking dumper whether necessity papers are prepared and all these works are done by the concerned workmen. He has stated that at the time of loading stone vieces are picked up and then it is loaded into wagons and big chunk of coal are broken into small pieces and coal is loaded by pay loaders. Thereafter the workmen go in the wagon to pick up shale particles and stone particles and to level it and after movement of the wagons lines are cleared by the workmen. All these works are continuous and permanent nature of iob and prior to July, 1988 the work was done through same process and at that time this job was done by permanent workmen of the management. He had also stated that they were engaged by Mr. K. P. Singh. Agent on the plea that there was shortage of workmen and they have worked for more than 240 days in a calendar year and their work was supervised by the Loading Assistant of the management. Equipments were also supplied to them by and pavment management οŧ also made to them by the management but they were not paid equal pay for equal work like perimanent workmen and claimed full back wages as per NCWA. He has also produced attendance sheet bearing the signature of Shri S K Banerjee, Manager of the Colliery marked Ext. W-13.

19. In cross-examination he has stated that no appointment letter was given to them. No pay slip for permonent of wages was given. He did not know Laxmi Transport Contractor and have denied that coal was being carried from denot to r ilway siding by the contractor through dumpers. He has also denied that the workmen are workers of the transpot contractor and they were doing work as per order of the contractor engaged for the same. He has further stated that all workers are members of P.F. and record relating to this case has been filed in this case. Some of the workmen got P.F. number and some are still to get the same. He has demed that he is adducing falsely just for getting job. He has also denied that equipment were not supplied by the management rather it was supplied by the contractor. He has further denied that they were doing only the job of transport of coal and other works as mentioned by him has been added just for the nurnose of the case. He has denied that their demand was not justified. No other witness was also examined by the workmen.

20 Some documents have filed by the manage-Fxt Mal is a letter dt 31-5/4-6-90 to M/s. Shrava Motor Parihahan S.S. Itd., Fxt. M-2 is a letter de 27-2-1991 to M/s. Bhomeshwar Coal Transport Co (P) Itd. Ext. M-3 is a letter of 5-9-1991 to M/s. Polkumar & Brothers Bokoro, Fyt M-4 is a letter dt 1/6-11-02 to M/s Roilming Reothers Ext M-5 is a letter dt 27-12-1993 to M/s. Laxmi Transport Contractor Sina Fxt M-6 is a letter dt. 27th/30th December 1994 to M/e Vilay I armi Transport, Sina Dhanhad Fxt. M-7 is a conv of invoice of Shreva Motors Parivahan dt 17-10-90, Ext. M-8 is another invoice Jt 75-1-1991 of Bhameshwar Coal Transport, Ext. M-9 and M-10 are copies 3-1-1995 and 20-7-1995 resof hills dated partirely, Fxt. M 11 is eligible papers. M-12 is conv. of tender notice dated 30-7-1993. Ext M 13 is a copy of lience granted the RLC(C) dt 26-7-96. Ext M-14 is conv of certificate for registration from AIC(C) Dhanbad. From these documents the management have tried to show that transportation of coal is being done by the transport contractors as per work order given to them and they need to submit invoice for transporting coal and hills making their claims and thereafter naument was made to them and subsequently they used to make norment to the workmen encoord by them Ert. M 13 it has been tried to show that licence to M/e Shri Laxmi Transport Contracor was granted for doing the work of Picking of stone from coal at Domodo Colliery of M/s RCCI, which was valid fill 25.7.1007 However, I find that this Tefa Ince is of the year 100% and these namers are of subcomment date after making of the reference and maturally has got no value in this case. Similarly Ext. M-14 is a certificate for registration in the name of General Manager Parora Area (Area No. D of M/c PCCL for coal mining industry and work incidental thereto. But from this certificate it is not clear whether this registration certificate is also valid for Damoda Colliery of he present reference or not.

21 Same documents have also been filed by the wokmen Ext W-1 CMPE Form HN '4' W-2, letter written to the Colliery Manager under the signature of Asst Commissioner II CMPE Ext W-3 letter dated 23-1-1990, Ext. W-4 wage sheet for the

month of November, 1989, Ext. W-5 to W-6 being the attendance sheet for the month of January, 1991 and July, 1991, Ext. W-7 and W-8 being the O.T. and Bonus sheet for July, 1991 and W-9 is payment sheet cum-attendance sheet of May, 1993, W-10 attendance-cum-Sunday Wagesheet, W-11 is paym nt-wagesheet from April, 1993, W-12 copy of Sunday duty cum-wageshert from April and May, 1993, W-13 is copy of wagesheet-cum-attendance sheet for November and December, 1993, W-14 to W-14/4 are the attendance sheet from January, June and September, 1904. From these documents it appears that the workmen have worked continuously and regularly from November, 1989 onwards vide Ext. W-4 and vide Ext. W-1 to W-3 P.F. deduction have been made from the workmen showing that A.F. Number allotted to them where they have been shown as contractors workers,

22 I further find that along with the written argument the workmen have filed photo copy of the Awrad dt. 26-7-1991 passed in eference No 37/90 by this very Central Government Industrial Tribural relating to the demand of the workmen of Jarangdih Colliery under CCL and for their regularisation and making payment of Cat. I wages for 122 workmen and the Award was passed in favour of the workmen and the management were directed to regularise their service and to pay them Cat. I from the date of the present reference i.e. from 16-2-1990 and against this Award the management has gone to the Hon'ble High Court, Patna (Ranchi Bench) in C.W.J.C. No. 139/92(R) where this application of the management was dismissed by the Division Bench of the Hon'ble High Court. Patna. From this document it has also been tried to show that the workmen have completed for more than 240 days of work and they were being paid bonus and O.T. and have also worked on Sunday for which O.T. payment was made to them vide Ext. W-7 W-10 and dony of other wagesheets have also been filed to show that payment of wages have been made to them upto July, August, September, 1994 as per pay heet prepared by the Accounts Section management and countersigned by the the Management of the Colliery. The original these documents were called for from the management and photo copies of the same were filed by the workmen and when the originals were not produced the photo conies were exhibited. But, these were not challenged nor anything was said regarding these documents.

23. While arguing the case it has been submitted on behalf of the management that 122 workmen of Reference No. 156/94 and 15 workmen of Reference No. 156/94 and 15 workmen of Reference No. 15/94 were denied regularisation of service with back wages were actually the workmen of the transport contractor engaged in the transportation ioh of coal and they were never the workmen of the management and there was no relationship of employer and employee between the concerned workmen and the management and the ioh of transportation of coal is not of prohibited category. As such engagement of contractor and contractors workers in doing the transportation ioh cannot be pholished as per provision of Contract Labour (Regulation and Abolition) Act, 1970 by the

Tribunals or Labour Court and no such order can be passed by the impunal and these references are not manifamable particularly with reference to Dinamath case where it has been held by the Frontbic supreme Court that contractors workers are not the employees of the principal employer and they cannot demand to come on the ron of the company for any reasons wnatsoever.

24. It is also submitted that if any question arises in the process or operation and coal mining and other work is of perennial nature the decision of the appropriate Government shall be final and no such dectaration regulation has been made by the completed Central Govt, that transportation of coal is probibited category and on this score they cannot claim regularisation as they were admittedly contractors. workers for which gocuments Ext. M-1 to M-14 series have been filed including contractors heence and registration of the company for engagement of contracfor. Therefore, it is submarted that coal transportation and amou works were being given by the management after calling tender and the lowest bidger was anowed to such work for which Ext. M-1 series have been filed snowing the tenders were called, rates were fixed by negotiations. It is further said that as per number of authorities of the Honbie Supreme Court ali poncy matters relating to the abolition of the contract system in the coal mining industry should be decided by the Central Govt, and not by the Tribunal and for these authorities relied upon in the case of Vegoils(P) Ltd.-vrs- workmen as reported in 1972 AIR Sc 1942 and BHEL workers Association-versus-Union of India AIR 1985 Supreme Court have been referred.

25. It is further submitted that the workman examined as WW-1 has admitted that loading of coal at the coal depot was done by the Pay Loaders and coal was transported by means of Dumpers and at the railway sidings coal is unloaded from the dumpers, stone pieces are picked up by the workers then it is loaded into the wagon and chunks are broken into small pieces by them. In this way of the matter it is submitted on the basis of both oral and documentary evidence and also in view of the principles of the Hon'ble Supreme Court no notification has been issued prohibiting contract on transportation system and as such no order can be passed by the Tribunal directing the management for regularisation of the contractors workers who were the concerned workmen in both the references and the demand of the workmen as well as the sponsoring union in both the references is justified and untanable at all.

26. It is further submitted that the management is under B.I.F.R. and present taken over of transportation job by the management would be causing irreparable loss not only to the management but to the economic condition of the country as a whole. such it is submitted that the Award be passed in favour of the management justifying its action.

27. On the other hand it has been submitted on behalf of the workmen and the sponsoring union in

both the cases that the workingn are working from Bury, 1900 Continuously and completed. Inoic than 240 days in an carchear year and mey are doing me 100 or permanent and perenmat hature of 100 under direct control and Sapervision of the management and they were also performing the job which was being performed by the permanent workmen or the management in this comery and some other comercs of DCCL. It is further submitted that www-1 who was deposing on behalf of all the workmen have clearly Stated that they were working in Damoua comery Since 1700 and coal is carried from the coal depot to the fanway signing by the dumpers which are loaded by pay loaders and enecked in the eneck-post where necessary papers are prepared and an mese works are done by the working of the case and at the failway staing coat is unioaded and again by the workers oig chanks are preken into small pieces and after loading me coal into Wagons Workers go on Wagons, pick stone pieces and other materials and com is levened In the wagons and after movement of the wagons ranways lines are cleared by the workmen and these work go in an three sams which is a continuous process for which the workmen are engaged as admitted by with-1 examined on behalf of the management. They have aslo Stated that prior to July, 1500 the work was wone of the same process and the Agent on the plea of shortage of workmen. It is further said that the witness has stated categorically that although they were doing the same and summar nature of work like permanent workers but they were being paid tess wages compared to the permanent workmen, and for tms Ext. W-1 and w-2 have been flied to show that they have completed more than 240 days of work in calendar years. Ext. W-1 is regarding C.M.P.F. membership of the concerned workmen and Ext. W-2 is a letter written by Shri P. K. Choudhury, Asstt. Commissioner, C.M.F.F. to the colliery Manager, Ext. W-3 is a letter written by the Dy. C.M.E. and W-4 to W-14 series are attendance-cum-wagesheets which bears the signature of the Manager showing attendance and payment to the workmen for different years. It is further submitted that MW-1 examined by the management have categorically admitted that the main function of the BCCL is raising of coal and to sell it to d'flerent parties including power station and coal is despatched through railway wagons, trucks even to the private parties. He has also admitted that continuous work of loading and unloading of coal from dumpers in the wagous, picking of shale and stones piects, levelling the wagons, breaking the chunk into small pieces are done in all three shifts continuously and the work is done by the workmen on regular basis and some of the workmen are operating dumpers and trucks. He has further admitted that he could not say whether any permission was taken from the C.I.L. headquarters about the discontinuance of departmental transport of coal and he also could not say as per NCWA engagement of contractors labours in the permanent nature of job is prohibited. He has further admitted that there are permanent force of Pay loader operators and they were given wages as per NCWA but the concerned workmen doing the same and similar job were being paid less wages and not as per NCWA.

- 28. My attention has been drawn to the Exts. filed by the management and Ext. M-1 is dt. 4-6-90 work order issued to the Shereya Motor Paribahan S.S. Ltd. Similarly Ext. M-2 is of the Feb. 91, M-3 September, 1991, M-4 is of November, 1992, Ext. M-5 is of December, 1993, Ext. M-6 is of December, 1994 and so on. It has also been pointed out that Ext. M-13 is licence in the name of Laxmi Transport and M-14 is alleged registration certificate dt. 28-12-75 but it did not mention the particulars of work in which alleged contractors were engaged. It is further said that as per job description given in the Wage Board Recommendation the persons engaged in shale picking, stone breaking jobs are entitled Cat. I and dumper operators, pay loader operators are entitled for technical grade and Munshies are entitled in Clerical Grade. It is also said that it has been held by Their Lordships of the Hon'ble Patna High Court in a case reported in 1973 Lab I.C. page 403, in Bhagaband Collieries case, that Wage Board Recommendation has got statutory force. It is further said that it has been held by the Hon'ble Patna High Court reported in P.L.J.A. 1994 page 375 between Jyotish and others versus Sitapati Sharma others that "Indstry shall not employ labour through contractor or engage contractor labour on job permanent and perennial nature."
- 29. As noted above judgement of this very CGIT in Ref. No. 37|90 concerning Jagdish Ray and 122 others of Jarangdih Colliery of Ms. Award was passed on 26-7-91 which was confirmed by the Hon'ble Patna High Court (Ranchi Bench) in C.W.J.C. No. 139|92(R) photo copies of both the judgements are attached with the written argument. It is also said that as per order of the Hon'ble High Court the said Award has been implemented M|s. C.C.L. It is said that the case of the present concerned workmen is similar and identical in both the reference as they too are engaged in transportation of coal and doing the job of shale picking and stone breaking and other allied works. It has also been submitted that the management has miserably failed to produce any alleged licence for engagement of the concerned workmen by the contractor any registration certificate showing the engagement for the purpose of doing the aforesaid work in 1988-89 and on this score alone the workmen are entitled for regularisation with full back wages as per NCWA.
- 30. A number of other authorities have also been referred in support of their contentions which 1978 Lab I.C. page 1264 Nuskain Bhai Vrs. Alath Factory, 1987 Lab I.C. page 619-1987-SC-777 Catering cleaners of Southern Railway vrs. Union of India and others, FIR 1990 Vol. 60 page 20 Shankar Mokheriee and others-vrs-Union of India and others (SC) 1995 Vol. II CLR page 134 SC-LLJ Vol. II 1995 page 75, 1995 CLR page 214 between National Federaton of Railway Porters Vendors and bearers Vrs-Union of India & others and last not the least Lab I.C. 1997 page 365 Air India Statutory Corporation-versus-United Labour Union and others etc. (SC) where it has been held by Their Lordship that "contractors workmen shall be deemed to be workmen of the principal employer". In this very authority of the Hon'ble Supreme Court has held

- that Dinanath Case as referred in order of Reference No. 72|95 reported in 1992 SC page 695 has been over ruled by Their Lordships and it has been held by Their Lordships that "Abolition of contract labour system ensures right to the workmen for regularisation of them as employees in the establishment which they were hitherto working as contract labour through the contractor. The contractor stands moved from te regulation under the Act and direct relationship of "employer and employees" is created between the principal employer and workmen. 1991 AIR SCW 3026 Overruled and 1995 AIR SCW 2942, Partly Overruled." It is further said that in this authority Their Lordships have clarified that Contract Labour (Regulation and Abolition) Act, 1970 does not certainly provide total abolition of the Contract Labour system but the Act regulates contract labour system to prevent exploitation of contract labour, and it has also been held by Their Lordships that the Act regulates not only employment of contract labour in the establishment covered under the Act and its abolition in certain circumstances covered under Section 16(2) but also "matter connected therewith". It is said that the phrase "matters connected therewith" given clue to the intenion of the Act.
- 31. In this view of the matter it has been submitted on behalf of the sponsoring union and the workmen that the reference of Dinanath Case as made in the subject matter of Reference No. 72|95 has been over ruled by the recent judgement of the Hon'ble Supreme Court as noted above in Lab I.C. 1997 365 and 368 where it is stated that there is certainly relationship of employer and employee is created between the principal employer and the workmen and the workmen got right for regularisation in service. It is also said that in view of the Award of Ref. No. 37l 90 passed by this vary Tribunal and its C.W.J.C. which were preferred by the management No. 139/92(R) the Writ Petition was dismissed and thereafter the management implemented the Award in favour of the workmen. It is said that in this case also the workmen are not demanding for declaration of transport of coal to be of prohibited category but the only demand is that they are doing the work in permanent and perennial nature of job from July, 1988 onwards when so-called contractors had licence nor the management had registration for engagement of contractor which were performed since 1988 and have completed more than 240 days of regular work in almost in all calendar year for which Fxt W-4 to W-14 series have been filed duly signed by the Accounts Section and the Manager of the colliery. It is further said that MW-1 has admitted that the workmen were working an all these nature of ich continuously and even they were encased on Sundays and Holidays for which OT navment was made as ner Ext W-3 and in view of the Award of Ref. No. 37100 and CWIC No. 130102 and also the Intest authority of the Hon'ble Sunreme Court renorted in Tah TC 1007 name 355 they are entitled for regularisation on the job of the management.
- 32. I find much force taken by the sponsoring union and the workmen and the management could

not rebut these contentions rather it has been admitted by MW-1 examined by the management that the workmen were doing the job of loading, unloading of coal, picking out stone and shale and breaking the big enunk of coal into small pieces which are regular and perennial nature of job and done in all three shifts in a day and earlier the same work were done by the permanent workmen of the management which has been discontinued from 1988 for which no permission was obtained from the C.I.L. headquarters there is nothing to show on record.

33. I further find that in both the cases the contention of the workmen are similar and identical as that of Ref. No. 37|90 and arising C.W.J. No. 139 of 1992(R) which has been allowed by the Hon'ble High Court also in view of the authority of the Hon'ble Supreme Court as reported in Lab I.C. 1997 page 365 and 368 I find that the demand of the workmen for their regularisation at the entry level category General Mazdoor and for dumper, truck and pay loaders operators and Khalasis at the entry level as provided in NCWA-III, IV and V is fully justified. So far Dinanath case reference of which has been made in Ref. No. 72|95 has already been overruled by the Hon'ble Supreme Court as noted and in this view of the matter also the 15 concerned workmen of that reference are also entitled for their regularisation with back wages as claimed. I do not find any merit in the pleas of the management for not regularising their job although they have worked for so many years and have completed so many 240 days in 12 calendar year in all years. Thus the action of the management in not regularising their job and paying equal pay for equal work cannot be justified in any, way. As such the workmen of both the References are entitled for their regularisation and the management is to regularise their services at entry level noted above. So far date of regularisation is concerned no specific date has been given in the terms of reference in both cases but it appears that the dispute was raised before the ALC(C) in the year 1992 in Ref. No. 156|94 and in the year 1994 in Ref. No. 72|95 and Rer. No. 156|94 has been made in July, 1994 and in June, 1995 Ref. No. 72,95. Accordingly the management is directed to regularise their jobs of the workmen in Ref. No. 156194 from 1st of July, 1994 and the workmen of Ref. No. 72|95 from 1st of June, 1995.

- 34. So far payment of back wages is concerned, the management is directed to pay full back wages at entry level Cat. I to General Mazdoor and also at the entry level wages of Technical Grade Dumper and Pay Loader Operators and Truck Driver and Khalasies and Munshies in clerical grade as provided under NCWA-III, IV and V applicable at the relevant time and such details of workmen is given in list of workmen in Ref. No. 156|94.
 - 35. Hence, the following Awards are rendered:—

Reference No. 156 of 1994

"The action of the management of Damoda Colliery of Mls. B.C.C.Ltd., P.O. Nawagarh, DDist, Dhanbad in denying regularisation&

payment of wages as per NCWA to S|Shri Kasto Munda and 121 others (as per list annexed) is not justified. Consequently, the concerned workmen are entitled for regularisation and full back wages at the entry level w.e.f. 1st July, 1994 in their respective categories as per NCWAs as discussed above."

Reference No. 72 of 1995

"The demand of the Union for regularisation by the Principal employer, viz. management of Damoda Colliery of Ms. BCCL of Shri 14 Bijendra Rabidas and others ployed fi list given below through contractor is legai and justified as the Supreme Court Judgement in Dina Nath case has been overruled by a recent judgement of the Hon'ble Supreme Court in Air India Statutory Corporation-versus-United Labour Union and others reported in 1997 Lab. I.C. page 365. Consequently, the concerned workmen are entitled for regularisation and full back wages at the entry level w.c.f. 1st of June, 1995 in their respective categories as per NCWAs as discussed above.'

The management is therefore directed to regularise the workmen concerned with full back wages in both the references within two months from the date of publication of the Award in Gazette of India.

36. However there will be no order as to costs.

T. PRASAD, Presiding Officer

नई दिल्ली, 10 सितम्बर, 1997

का. भ्रा. 2503.— भौद्योगिक विवाद भ्रधिनियम, 1947(1947 का 14) की धारा 17 के भनुसरण में, केन्द्रीय सरकार मैं. बी. सी. सी. एल. के प्रबन्धतंत्र के संबद्ध नियोजकों श्रीर उनके कर्मकारों के बीच, भ्रनुबंध में निदिष्ट श्रीद्योगिक विवाद में केन्द्रीय सरकार श्रीद्योगिक श्रिधकरण (सं. 1), धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 9-9-97 को प्राप्त हुमा था।

[सं. एल-20012/36/90-आई भार (सी-I)] बज मोहन, डैस्क मधिकारी

New Delhi, the 10th September, 1997

S.O. 2503.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, No. 1, Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. BCCL and their workmen, which was received by the Central Government on 9-9-97.

[No. L-20012|36|90-IR(C-I)] BRAJ MOHAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference under Section 10 (1)(d)(2A) of the Industrial Disputes Act. 1947

Reference No. 4 of 1991

PARTIES:

Employers in relation to the management of Bhagaband Colliery of M/s. B.C.C. Ltd.

AND

Their Workmen

PRESENT:

Shri Tarkeshwar Prasad, Presiding Officer APPEARANCES:

For the Employers-Shri H. Nath, Advocate

For the Workmen-Shri Shekhar Sharma, Secretary, Bihar Colliery Mazdoor Sabha

INDUSTRY: Coal STATE: Bihar

Dated, the 28th August, 1997

AWARD

By Order No. L-20012|36|90-I.R.(Coal-I), dated the 17th September, 1990 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal:

"Whether the demand of the workmen of Kandwadih Colliery of Messrs Bharat Coking Coal Limited Post Office Kusunda. District Dhanbad for regularisation of blasksmith mentioned in the Annexure as departmental works is justified? If so, to what relief are the concerned workmen entitled?

- 1. Chandan Manjhi
- 2. Dukhan Mistry
- 3. Saudagar Mistry
- 4. Sarju Mistry
- 5. Raj Kishore Paswan
- 6. Gyan Chand Paswan

- 7. Mala Paswan
- 8. Ram Chandra Garhari
- 9. Deo Narain Mistry
- 10. Ashok Paswan
- 11. Bigan Mistry
- 12. Surjdeo Paswan
- Chandrika Mistry
- 14. Jagranath Mistry
- 15. Rajendra Mistry
- 16. Munilal Mistry
- 17. Rajeshwari Mistry
- 18. Ishwar Chandra Mistry
- 19. Jago Mistry
- 20. Lazman Mistry

But later on the following amendment has been made in above schedule by issuing Corrigendum by the Ministry vide letter No. L-20012(36)|90-IR (Coal-I) dated 9th November, 1990:

"Whether the action of the management of Bhagaband Colliery of Mls. Bharat Coking Coal Ltd. in not giving employment to Contractors workers Shri Siya Ram Biswakarma and seven others shown in Annexure is justified? If not, to what relief are the concerned workmen entitled?"

List of workmen

- 1. Siya Ram Viswakarma
- 2. Janeshwar Viswakarma
- 3. Paras Nath Prasad
- 4. Basdeo Rewani
- 5. Prem Bhuiya
- 6. Sarjan Bhuiya
- 7. Kamta Singh
- 8. Indrajit Paswan
- 9. Dhaneshwar Prasad.

2. The sponsoring union and the concerned workmen filed written statement stating therein that as per terms of reference vide corrigendum dated 9th November, 1990 the nine concerned workmen were working on tub repairing, tub manufacturing, fabrication of winding cages and other miscellaneous black-smithy works in Bhagaband Collierv for the years 1981 to 1985 under the so-called Contractor, Mahadeo Sharma. But they were engaged by the management on various black-smithy jobs on the surface and underground under the said contractor who was neither registered nor licence holder as required under the provision of Contract Labour (Regulation & Abolition) Act, 1970.

It is also said that all the above-noted black-smithy works are of regular nature carried on various collieries of Mis. B.C.C. Ltd. and workers of those collieries get wages of Category-IV and other allowances as per Coal Wage Agreements but in Bhagaband Colliery the management adopted a device by introducing intermediary, contractor just to ▶ ahadro Sharma, so-called make proper arrangement to defeat the claim of the workmen that they were being paid Rs. 15 per day whereas regular workmen were getting Rs. 60 per day plus other allowances. As such engagement through so-called intermediary was malafide and to deprive the workmen of their claim. It is also said that materials were supplied by the management and the workmen were engaged to work sometimes underground and sometime on surface and these work done by the workmen were of regular and perennial nature of job for which regular workmen are engaged in BCCL colliery and as per NCWAs engagement all contract workmen in such regular nature of jobs are prohibited.

- 3. They were working under the control and supervision of the officials of the colliery, such as, fireman, engineer etc. and actually they were workmen of the management and presence of intermediary is only sham and camouflage to hide the real employer-employee relationship existed between them and the management. It is further said that when the question of regularisation of the workmen was raised by the union, they were stoped from work in the year 1985 and since then they are sitting idle and thereafter dispute was raised before the ALC.(C). Dhanbad and on failure of FOC, reference has been made to this Tribunal for adjudication as per reference.
- 4. It is, therefore, submitted that award be passed in favour of the workmen holding their demand for regularisation as genuine and justified,
- 5. The management appeared and filed written statement stating, inter-alia, that the reference is not maintainable under law and fact and by making two references the last one by way of corrigendum the Government has changed the nature of reference for which the Government is not entitled. It is also said that such view has been held by various High Courts and the Hon'ble Supreme Court and as such reference itself is not maintainable. It is also said that dispute was raised before the AT. C(C). Dhanhad by the sponsoring union on 10th January 1989 relating to Siva Ram Vishwakarma and 7 others only but in the present one. Dhaneshwar Prasad has also been included regarding whom no dispute was raised hy the union before the A L.C.(C). It is also said that Mahadeo Sharma used to receive materials from the stores for manufacturing coal tube at his own Workshop and after making the same he used

to supply the same to the Bhagaband Colliery and he paid wages to the workers who worked under him in his private workshop and attendance of such workers was never marked in the Form 'C' or Form 'B' Registers of the colliery and they were never employed by the management. It is also said that Mahadeo Sharma was never a Contractor of the management.

- 6. It is said that the management has no record regarding Siya Ram Vishwakarma and seven others and also of Dhaneshwar Prasad who have worked under the so-called contractor, Mahadeo Sharma and so it was not responsibility of the management to look after the job of the suppliers and the suppliers workers were never engaged in the prohibited category of the management. It is also said that the concerned workman and also Dhaneshwar Prasad were never workers of the contractor emploved by the management and so the question of violation of the provision of of Contract Labour (Regulation & Abolition) Act, 1970 does not arise and as these persons did not work under prohibited category so the question of their regularisation did not arise.
- 7. It is also said that the management used to purchase various materials like coal tubs, dog nails, bolt-nuts, explosives, detonators, timbers etc. from the local manufacturers and some from outsiders and they are not contractors of the management rather they were independent supplier. It also said that there was no employer-employee relationship between them and the persons named in the annexure are iob seekers who were included in the list with a motive of inducting them in the permanent roll of the management and the demand of the sponsoring union for giving employment of the persons named in the annexure was false and baseless and their demand for regularisation is not justified.
- 8. By way of reioinder to the written statement of the workmen, the same has been denied specifically and parawise and said to be not correct and denied. It is finally said that award be passed accordingly in favour of the management.
- 9. I further find that a rejoinder has also been filed on behalf of the workmen to the contention of the management in their written statement and the same has been denied specifically and parawise. It is also said that some legal objection has taken in making this reference and corrigendum and the Ministry of Labour, Government of India, has not no power to change the terms of reference but it is said that no such change or alteration has been made only corrections in terms of reference have been made by way of issuing a corrigendum and this cannot be said to be fresh reference made by the Ministry and the objection of the management is quite false and not tenable. Other contentions are also said to be incorrect and hence denied.

- 10. On the basis of pleadings of the parties, the point for consideration in this reference is—
 - (a) As to whether or not the action of the management of Bhagaband Colliery of Ms. B.C.C. Ltd. in not giving employment to Siya Ram Vishwakarma and seven others, Contractor workers as shown in the Annexure is justified?
 - (b) If not, what relief or reliefs the workmen are entitled?
- 11. It is to be noted that in the terms of reference Siya Ram Biswakarma and seven others have been mentioned whereas in the list of workers on the back of the reference the name of Siya Ram Viswakarma and seven others plus Dhaneshwar Prasad has also been noted as workman and the finding is being given for all the nine workmen as given in the Annexure.
- 12. I further find that in support of the case the management has examined only one witness, MW-1—Ariun Kumy Ghosal, who is Superintendent of Mines of said Bhagaband Colliery and who joined there in March, 1980 as Asstt. Manager. He has supported the case of the management as given in the written statement. He said that there was no contractor name Mahadeo Sharma, rather there was a Contractor, named Mahadeo and the colliery used to allot work relating to fabrication and repairing to Mahadeo Vishwakarma which he did at his own workshop and he did not execute the contract work under their supervision. He has further said that if such contract labour goes underground for some work then his attendance is marked in Form 'C' and his name is also noted in Cap Lamp Register and the concerned workmen were never appointed by the colliery management and presently there is no vacancy in the job of blacksmith. In cross-examination he has said that Mahadeo Sharma and Mahadeo Vishwakarma may be one or similar person, but has stated that he did not do any fabrication work in the colliery premises though he did some work on contract basis at his workshop. However, he has further admitted that sometimes he performed some repairing work which is the work of blacksmith in the colliery premises. He admitted that the work of blacksmithy is permanent nature of job and presently Sri Vishwakarna is not working in the colliery and those who are working in the colliery as blacksmith are regular employees of the colliery. He has depied that the demand of the union and the concerned workmen that they worked under Vishwakarma is so-called Contractor, Mahadeo correct.
- 13. Two witnesses, WW-1 Siva Ram Vishwa-karma and WW-2 Paresh Nath Pratar, both are concerned workmen and have deposed on their

- behalf and on behalf of other concerned workmen and have stated that they were working under the Contractor, Mahadeo Sharma from 1981 to 1985 in the said Bhagaband Colliery as blacksmith and they used to make new tubs and also used to repair 'Goli' and other miscellaneous work for which they were getting Rs. 15 per day as wages. Sometimes they worked underground but for that they were not paid any extra amount. They have said that materials for work were supplied by the management and for taking materials from the stores they were given two requisition slips out of which one they used to deposit in the stores and other slip remained with them, and such requisition slips have been filed bearing signature of Sri A. K. Singh, Pit Manager, marked Exts. W-1 to W-1/3 and one requisition slip is under the signature of Sri Jha, the then Manager, marked Ext. W-1|4. They were stopped from work in the year 1985. WW-1 has stated the same fact in his examination-in-chief. In cross-examination both of them have stated that they know Mahadeo Sharma since 1981 who used to live in the quarter of Khaira Colliery and he had no workshop of his own and their attendance was marked by the Munshi of Mahadeo Sharma on a plan paper and their wages was paid by Mahadeo Sharma. They did not have any appointment letters issued by the colliery. He has denied that the name of Dhaneshwar Prasad was not mentioned in the list of dispute raised before the R.L.C. WW-2 has stated that they have filed paper showing the number of days they have worked in a particular year and he has also denied that they were never employed as Tyndal nor never worked underground. He has further denied that the management had not stopped their work rather the contractor stopped them from work and they had protested in writing against stoppage of their work and that protest letter is with the management and during their idle period they also worked with some other contractor and have denied that their claim was not correct.
- 14. Some documents have been filed on hehalf of the management which are Ext. M-1 series to which copy of letter given to the A.L.C. (C) by the management and copy of petition given by the sponsoring union raising the dispute before the A.L.C. and Ext. M-2 is copy of letter given by the R.E.C. (C). Dhanhad to the Agent of the colliery and also to the Secretary of the sponsoring union dated 10-11-89.
- 15. The workmen have filed five slips Exts. W-1 series which are issuing slips of materials from the colliery stores in the name of Mahadeo. Contractor which are from the years 1983 to 1985 on different dates.
- 16. While arguing the case it has been submitted on behalf of the management that the reference and its corrigendum changing the

terms of reference and the names of the workmen which is without jurisdiction of the Ministry of Labour under Central Government and this view has been laid down in various pronouncements of different High Courts and it is also said that the workmen have claimed in the written statement and also oral evidence that they worked from 1981 to 1985 under Contractor, Mahadeo Sharma at the rate of Rs. 15|- per day as wages and WW-1 has also stated that they were engaged by the contractor and their attendance was marked on a plain paper by the Munshi of the contractor and payment was made by the Munshi of the contractor and their work was also supervised by the said munshi. As such, it is submitted that they were at best the workmen of the contractor and there was no relationship of employer—employee between them and this fact has also been stated by the management witness MW-1 that no contractor, named Mahadeo Sharma was engaged in the said colliery during the period and the workmen never worked underground and their name never entered in Form 'B' Register which is a statutory register of the colliery. It is also said that WW-2 examined by the workmen has also stated that they were paid Rs. 15 each per day by the said contractor and they have no document that they have worked continuously from 1981 to 1985. He also admitted that during the period of idleness they used to work under some contractor. Similarly the same fact has been admitted by WW-1 also admitted that their work was supervised by the munshi of Mahadeo Sharma, Contractor and they have filed no document to show that they have worked continuously from 1981 to 1985 and only by filing some slips it cannot be said that they have worked continuously for the aforesaid period.

17. It is further said that by giving employment it would amount to their entry into services of the principal employer by the back door in contravention of Rules framed by the Central Government and it would also violates Arts. 14, 16 and 19 of the Constitution of India. It is also said that some repairing work and fabrication work was allotted to Mahadeo Sharma who used to do at his own workshop by his own workmen and such workmen never the workers of the management. The authorities of the Hon'ble Supreme Court as reported in India Cement Ltd. vs. Union of India [1991(SC)-724] and the case of K.S.E.T.S. Democratic Labour Federation VS. K.S.R.T.C. Corporation (1973 I.C. 602) have also been referred. Other authorities in Shaw Wallace & Co. Ltd. VS. State of Tamil Nadu [1988(I) ILI 177] and Thekedar Mardoor Union vs. Judge I.T. [1994(II) LLJ 570L Guiarat and Electricity Power Station, Guiarat vs. Hind Mazdoor Sabha 1995 (II) I.J.J. 791 have also been referred. It is said that it is for the workmen to estabish that 2357 GI/97---15

the contract labour system was only sham and comoullage to deprive the legitimate right of the workmen. But in the instant case, the sponsoring union and the workmen failed to establish this fact and therefore the reference is not tenable and not justified.

18. On the other hand, it has been submitted on behalf of the workmen that they have worked under the said contractor, Mahadeo Sharma and MW-1 has admitted that the said Mahadeo Sharma and Mahadeo Bishwakarma is one and similar person and they have worked from 1981 to 1985 at the rate of Rs. 151- per day and they have demanded for their regularisation and they were stopped from work from 1985 and thereafter they raised dispute before the A.L.C. (C). Dhanbad. It is further said that Ext. W-1 series bearing signatures of Sri A. K. Singh and Sri Jha, Pit Manager and Manager which are for the years 1981 to 1985 to show that they have worked continuously for such longer period and this fact has not been denied by the management. It is further said that MW-1 has admitted in his evidence that this colliery used to allot work relating to fabrication and repairing to Mahadeo Sharma which he did through his workshop and said Bishwakarma did not execute work under their supervision. He has further admitted that the job of blacksmithy is a permanent nature of job and it is also done by the contractor within the colliery premises.

19. It is also pointed out that the management has implemented Wage Board Recommendations and the same has get statutory force as held by the Judges of the Hon'ble Patna High Court as reported in 1973 Lab. I.C. 403 and in this Wage Board Recommendations which has got statutory force, the job of blacksmithy is permanent and percanial nature of job and the work done by the werkmen of Bhagaband colliery are entitled for Category-V wages. It is further said that the Hon'ble Supreme Court and various High Courts have given a number of decisions in which it has been held by their Lordship that the stoppage of work on the ground that the workmen were workmen of the supplier contractor is illegal and that is why the management has taken some legal pleas and micities. It is also said that much stress has been taken by the management that the Government has no power to refer the dispute, but simply a corrigendum has been issued to correct the clerical mistake as made in terms of reference issued by the Ministry. As such, issuance of such corrigendum is neither barred under law and the Ministry is quite competent to issue such corrigendum for removing typographical clerical mistake, It is also said that the Honble Supreme Court has held in various decisions and in the light of that decision the workmen were employees of the management, so their stoppage from work without

notice or notice compensation was illegal, arbitrary, unjustified and in support of this contention the case reported in 1978 Lab. I.C. 1264 between Hussainbhai vs. The Alath Factory has been referred and the relevant portion of the judgement is quoted below—

"Where a worker or group of workers labours to produce goods or services and these goods or services are for the business of another, that other is, in fact, the employer. He has economic control over the workers' subsistence, skill, and continued employment. If he, for any reason, chokes off, the worker is, virtually laid off. The presence of intermed ate Contractors with whom alone the workers have immediate or direct relationship excontractu is of no consequence when, on lifting the veil or looking at the conspectus of factors governing employment, it is found, though draped in perfect paper arrangement, that the real emplover is the management, not the immediate Contractor."

Another citation is of Labour Law Journal 1995 page 552 (Guiarat Flectricity Board Vs. Hind Mazdoor Sabha) and it is said that if it is assumed that the workmen engaged by the Contractor even then they were performing permanent nature of job for such longer period from 1981 to 1985 and as such they are entitled for regularisation in view of the decision of the Hon'hle Sunreme Court reported in Labour Law Reporter-August, 1994 page 634 between R. K. Panda & others Vs. Steel Authority of India & others. It is further submitted that in similar nature of case award has been nossed he this Tribunal in Reference No. 58 of 1992 and also by my predecessor in Reference No. 14 of 1980 allowing the claim of the workmen for their regularisation which is also confirmed by the Hon'ble High Court and since have been implemented by the management.

20 It is further said that the Hon'ble Sunreme Court has passed an authority reported in 1997 Lab, I.C. 365 at name 368 in the case of Air India. Statutory Cornoration Vs. United Labour Union and others where it has been held by their Lordishins, 14that under Action 10 of the Contract Labour (Regulation & Abolition) Act, 1970 that in the Abolition of contract labour system direct relationship of employer and employee is created hetween the principal employers and the workmen and the workmen get right to be regularised in service". It has been further elaborated that "Abolition of contract labour system ensures right, to the workmen for regularisation of them as employees in the establishment in which they were hitherto working as contract labour through the contractor. The contractor stands removed from the regulation under the Act and direct relationship of 'employer and employees' is created between the principal employer and workmen." 1991 AIR SCW 3026, Overruled. 1995 AIR SCW 2942 partly Overruled." It has also held by Their Lordships that the Act does not provide total abolition of the contract labour system to prevent exploitation of the contract labour. The preamble of thet Act furnishes the key to its scope and operation.

- 21. Perused the above authority. It has been pointed out that in view of this authority of the Hen'ble Supreme Court (Division Bench) by which Dinanath case has been overruled the management cannot take the plea that the workmen being contractor labour cannot claim their regularisation with the principal employer rather the principal laid down in the said authority is otherwise and is in favour of the workmen.
- 22. In he result, I find that as the workmen have worked on permanent and perennial nature of job for continuous period from 1981 to 1985 which is evident from both oral and documentary evidence on record and also admitted by MW-1 their stonnage of work by the management on making claim by them for their regularisation without notice or notice compensation was violative to the provision of Sec. 25-F of the LD. Act and it is void abinitio. It is also clear that the workmen have worked and produced service and goods for the benefit of the colliery management and so-called intermediary Mahadeo Sharma, contractor Supplier as claimed by the management was simply sham and camouflage and also simple paper arragement to deny the clim of the workmen of thefir regularisation. Accordingly, I find that the action of the management in not wiving employment regularitation the workmen as per Annexure of the reference (Corrigendum) is not justified at all and the workmen are entitled for their employment/regularisation in service with back wases. Both the points are decided in favour of the workmen.
- 23. So far such date of 'employmently equiarisation has not been specifically mentioned in the terms of reference, but it is clear from Ext. M-2 that the dispute was raised by the sponsoring union and the workmen before the ALC (C) in the vent 1989 and the notice Fvt. M-2 issued by the R.L.C. (C) is dated 10-1-1989 and in view of the matter, the management is directed to emplov/remilarise the workmen as Rlacksmith at entry level category and wages admissible as per NCWA applicable during the period 1-1-1989. It is also clear that the workmen were idle since then of stoppage of work in the year 1989 But WW-2 has admitted in his evidence that they worked sometime with some contractor,

as such, the management is directed to pay them at least 30 per cent of full back wages from that very date, i.e. 1-1-1989.

24. Hence, the award—

The action of the management of Bhagaband Colliery of M s. Bharat Coking Coal Ltd. in not giving employment to Contractors workers Shri Siya Ram Biswakarma and others (as per list mentioned in the corrigendum of reference) is not justified. The management is directed to employ/regularise the concerned workmen as Blacksmith at the entry level category and wages admissible as per NCWA applicable during the them at least period from 1-1-1989 and pay 30 per cent of full back wages from that very date, within two months from the dae of publication of the award in the Gazette of India.

However, there will be no order as to costs. TARKESHWAR PRASAD, Presiding Officer.

नई दिल्ली, 2 सितम्बर, 1997

का. था. 2504:—-प्रौद्योगिक विवाद ध्रधिनियम, 1947 (1947 का 14) की धारा 17 के ध्रन्मरण में, केन्द्रीय सरकार ईसी एल. के प्रबन्धतंत्र के संबद्ध नियो-जकों ग्रौर उनके कर्मकारों के बीच, ध्रनुबंध में निर्दिष्ट ध्रौद्यां गिक विवाद में, केन्द्रीय सरकार ध्रौद्योगिक ग्रिकारण, ध्रासनसोल के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 1-9-97 को प्राप्त हंग्रा था।

[संख्या एल-22012/498/95-म्राई आर (सी.-II)] एस रविश अली, ईंस्ह अधिकारी

New Delhi, the 2nd September, 1997

S.O. 2504.—In pursuance of Section 17 of the Industrial Disputes, Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Asansol as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M|s. E. C. Ltd., and their workman, which was received by the Central Government on 1-9-1997.

[No. L-22012|498|95-JR C-II] S. RAVISH ALI, Desk Officer ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, ASANSOL REFERENCE NO. 28|96

PRESENT:

Shri R. S. Mishra. Presiding Officer.

PARTIES:

Employers in relation to the management of C. L. Jambad Colliery of M|s. E. C. Ltd.,

AND

Their Workman.

APPEARANCE:

For the Employer: Sri P. K. Das, Advocate.

For the Workman: Sri M. Mukherjee, Advocate,

Industry: Coal. State: West Bengal.

Dated the 14th August, 1997.

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them by clause (d) of sub-section (1) and subsection (2A) of Section 10 of the Industrial Disputes Act, 1947 has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. L-22012(498) 95-IR-(C.II) dated 21-8-1996.

SCHEDULE

"Whether the action of the management of C. L. Jambad Colliery unit of Siduli Colliery, Kanda Area of ECL in not paying attendance bonus along with monthly wage to Sh. Hari Lal Bin, U. G. Leader for the idle period from 11-10-92 to 30-6-93 is justified? If not, what relief the concerned workman is entitled to?"

- 2. Admittedly the concerned workman was on medical leave during the period from 11-10-92 to 30-6-93, for sustaining injury during work. Though admittedly wages had been paid to him for this period, it did not include attendance bonus.
- 3. The union raised this industrial dispute on the ground that the concerned workman being an Under Ground Loader, he is entitled to attendance bonus at the rate of 10 per cent of basic wages even for the period of leave.

- 4. The management's version is that attendance bonus is not admissible for the period of leave.
- 5. On perusal of para 3.2 in Chapter III of N.C.W.A. II it appears that attendance bonus has been delinked from the actual attendance and para 4.1 in Chapter IV indicates that attendance bonus should be calculated at 10 per cent of the basic wage pay. The provision for paying attendance bonus is still in force.
- 6. The action of the management of Siduli Collicry in not paying attendance bonus Sri Hari Lal Bin, U. G. Loader along with monthly wages for the period from 11-10-92 to 30-6-93 is not justified. Management is directed to pay the same.

Award accordingly.

R. S. MISHRA, Presiding Officer

नई विल्ली, 2 सितम्बर, 1997

का. था. 2505 . मीधोगिक विवाद प्रधिनियम, 1947 (1947 का 14) को धारा 17 के अनुसरण में, केन्द्रीय सरकार मैंसर्च वी की सी एक के प्रबन्धतंत्र के संबद्ध नियोजकों और इनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट श्रीधोगिक विवाद में, केन्द्रीय सरकार श्रीधोगिक प्रधिकरण, श्रासनसील के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 1-9-9-97 को प्राप्त हुआ था।

[संख्या एल-22012/469/91-आई मार (सी-II)] एत. रिवा मली, डैस्क अधिकारी

New Delhi, the 2nd September, 1997

S.O. 2505.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal Asansol as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M|s. BCCL and their workmen which was received by the Central Government on the 1-9-1997.

[No. L-22012|469|91-IR C-II] S. RAVISH ALI. Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, ASANSOL

REFERENCE NO. 30/92

PRESENT:

Shri R. S. Mishra.

Presiding Officer.

PARTIES:

Employers in relation to the management of Damagoria Colliery of M|s. B.C.C. Ltd.

AND

Their Workmen

APPEARANCES:

For the Employer: Sri P. K. Das, Advocate.

For the Workmen: Sri S. K. Singh, Br. Secy. of the Union.

AWARD

The Government of India in the Ministry Labour in exercise of the powers conferred on them by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. L-22012 469 91-IR(C.II) dated 17-6-1992.

SCHEDULE

"Whether the action of the Agent, Damagoria Colliery, P.O. Salanpur, Distt. Burdwan, is not paying the wages for the period 28-5-88 to 29-12-88 to Sri Kali Mahato and 21 others (as per list enclosed at Annexure) is justified? If not, to what relief the concerned workmen are entitled to?"

2. Admitted facts:—

139 Quarry loaders of Damagoria Colliery in piece rate category, including these 22 workmen, were given alternate jobs in the same category following its mechanisation in 1985. On 27-5-88 they were transferred to NLCOP as wagon loaders, in piece rate category. The concerned 22 workmen did not join their duty

at NLCOP. On 30-12-88 they were employed as shale pickers in the same Damagoria Colliery in time rate category. The concerned workmen did not work during the period from 28-5-88 to 29-12-88. Subsequently they were regularised in time rate category as shale pickers. But wages for the period of absence are not paid.

- 3. The union alleges that the alternate job given to them concerned workmen was in time rate category as Excavation helper and so the management had no authority to transfer them to work in piece rate category. It is further alleged that though the concerned workmen did not work at NLCOP in obedience to the transfer order during the period from 28-5-88 to 29-12-88, the transfer order being illegal and their absence from duty being the outcome of an illegal transfer order, wages for the period can not be justifiably deducted.
- 4. The management's reply is that the alternate job in time rate category, given to the concerned workmen following mechanisation was for the sake of temporary rehabilitation, though they ought to have been retrenched as surplus labour. It is further replied that there was no regularisation in time rate category and so the transfer order dated 27-5-88 was perfectly legal and justified. It is further replied that there being no work during the disputed period in obedience to the transfer order, no entitlement to wages.
- 5. The transfer order dated 27-5-88 shows that till then the status of the concerned workmen was treated as quarry loaders. There was also no regularisation in time rate category till then. So simply because of alternate job in time rate category given temporarily, right to that category could not flow to the concerned work men Though under order dt. 30-12-88, the concerned workmen were employed as shale pickers in Damagoria collery itself, it did not cancal the transfer order as such. So the order of transfer dated 27-5-88 is bound to have all its consequential effects. No work in pursuance of it and so no pay.
- 6. Apart from that the reference is on the assumption that the transfer order was alright and it does not authorise the Tribunal to examine its legality. No obedience to the transfer order and hence no pay for the disputed period.

7. Action of the management in not paying wages to the concerned workmen for the period from 28-5-88 to 29-12-88 not unjustified.

Award accordingly.

R. S. MISHRA, Presiding Officer

नई दिल्ली, 2 सितम्बर, 1997,

का. श्रा. 2506 :— मौद्योगिक विवाद श्रिधिनयम, 1947 (1947 का 14) की धारा 17 के श्रनुसरण में, केन्द्रीय सरकार ईसी एल के प्रबन्धतंत्र के संवद्ध नियोज को श्रीर उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट श्रीद्योगिक विवाद में, केन्द्रीय सरकार श्रीद्यागिक श्रिधकरण, श्रासन-सोल के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 1-9-97 को प्राप्त हुआ था।

[संख्या एल-22012/352/95-प्राई आर (सी -II)] एस. रिवण श्रसी, डेस्क श्रीधकारी

New Delhi, the 2nd September, 1997

S.O. 2506.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Asansol as shown in the Annexure, in the industrial dispute between the employers in relation to the management of E.C. Ltd. and their workman, which was received by the Central Government on the 1st September, 1997.

[No. L-22012|352|95-IR C-II] S. RAVISH ALI, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL, ASANSOL

Reference No. 16|96

PRESENT:

Shri R. S. Mishra, Presiding Officer.

PARTIES:

Employers in relation to the management of Haripur Colliery of M|s. E.C. Ltd.

AND

Their Workmen

APPEARANCES:

For the Employer — Sri P. K. Das. Advocate. For the Workmen—Sri M. Mukherjee, Advocate.

INDUSTRY: Coal STATE: West Bengal Dated the 16th June, 1997

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. L-22012 352 95-IR(C.II) dated 13-3-96.

- "Whether the action of the management in not giving pay protection in conversion of undermentioned workers from PR to TR w.e.f. 1-4-93 is justified or not? If not, what relief they are entitled to?"
- 2. The union submits that the dispute is settled between the parties and the union files photocopy of the written settlement which has been duly signed by the parties.
- 3. Award as per the terms of settlement is passed and the settlement to form a part of the award.

R. S. MISHRA, Presiding Officer MEMORANDUM OF SETTLEMENT

Employer in relation to the management of Kenda Area, ECL, P.O. Bahula (Burdwan)

AND

Their workman represented by the Jt. General Secretary, CMU(INTUC), Cinema Road, Ukhra (Burdwan).

Representing Management—Sri B. P. Jaiswal, P.O. Kenda Area.

Representing the Union—Sri C. S. Banerjee, Jt. General Secretary, CMU (INTUC), Cinema Road, Ukhra.

Short recital of the case.—Sri C. Banerjee, Jt. General Secretary, CMU (INTUC) raised dispute before the ALC(C), Raniganj for protection of pay in respect of S/Sri Bhaskar Dakua &15 others and S/Sri Rajendra Hazam and 16 others of Haripur Colliery who were converted from piece-rate to time-rate. The above cases are under conciliation stage.

After necessary verification it reveals that in the case of S/Sri Bhaskar Dakua & 15 others, 9 heads have already given pay-protection carlier and only the cases of 10 heads are to be settled.

After discussion with the union it was decided that the cases of pay-protection/disputes, aforesaid may be settled amicably and such a proposal in respect of the following employees involved in the disputes, was sent to HQ for approval to protect their wages;

- 1. Sri Rajendra Hazam
- 2. Sri America Mahato
- 3. Sri Jiten Bouri
- 4. Sri Lakhikanti Bouri
- 5. Sri Ganesh Dhobi
- 6. Sri Bhagirath Nunia
- 7. Sri Sufal Bouri
- 8. Sri Sanjay Dusad
- 9. Sri Md. Jibrail
- 10. Sri Lakhan Muchi
- 11. Sri Shiba Prasad
- 12. Sri Madho Kora
- 13. Sri Dobendra Dusad
- 14. Sri Jagadish Mahato
- 15. Sri Raj Kumar Gope
- 16. Sri Ma. Ibrail
- 17. Sri Mangal Bhuiya
- 18. Sri Uodal Pradhan
- 19. Sri Subhas Pradhan
- 20. Sri Adhikanta Goura
- 21. Sri Khali Goura
- 22. Sri Abhi Dakua
- 23. Sri Bijoy Dakua
- 24. Sri Najan Goura
- 25. Sri Kabi Swai
- 26. Sri Prafullya Swai
- 27. Sri Kamraj Pradhan.

In view of the concerned union agreed during discussion that no arrear payment or inpancial benefit arising out of their wage protection will be claimed and to given effect the wage-protection pleased to accord his kind approval for payment of wage protection to the concerned employees after enter into an agreement with the union.

In terms of above, both the parties have agreed to implement wage protection in respect of above employees on the following terms & conditions:—

TERMS OF SETTLEMENT

- 1. The above named workmen who were converted from piece-rate to time-rate, shall be granted the pay-protection, i.e. Group wages + SPRA of their respective Group w.e.f. 10-1-95 and their fitment will be made in their respective T/R. categories accordingly.
- It has also been agreed that the workman/union concerned will not claim for any arrear wages prior to the date of making effective of this agreement in future.

It has also been agreed that a copy of the settlement will be submitted before the ALC(C), Raniganj for his kind information and to drop the disputes, raised before him.

On behalf of the Workmen/Union

On behalf of the Management

Sd.

Sd.'-

नई दिल्ली, 2 सितम्बर, 1997

का. आ. 2507.—श्रीबोगिक विवाद श्रिधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, वेस्त्रीय सरकार एफसी आई के प्रवन्धतंत्र के संबद्ध नियोजकों श्रीर उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट श्रीबोगिक विवाद में,: केन्द्रीय सरकार श्रीबोगिक श्रिधकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 1-9-97 को प्राप्त हुआ था।

[संख्या एल-22012/325/एप/93-आई आर(सी-II)] एम रविश भ्रती, डैंग्क श्रिधकारी

New Delhi, the 2nd September, 1997

S.O. 2507.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of F.C.I. and their workman, which was received by the Central Government on the 1-9-1997.

[No. L-22012|325|F|93-IR(C. II)] S. RAVISH ALI, Desk Officer

ANNEXURE

BEFORE SHRI B. K. SRIVASTAVA, PRESID-ING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, DEOKI PALACE ROAD. PANDU NAGAR, KANPUR

Industrial Dispute No. 120 of 1993

In the matter of dispute:

BETWEEN

Senior Regional Manager, Food Corporation of India, 5-6, Habibullah Estate, Hazratgani, Lucknow.

AND

Tilak Singh, Clo T. B. Singh, 41/417, Janki Bhawan, Narhi, Lucknow.

APPEARANCE:

Shri V. K. Gupta—for the Management. Shri T. B. Singh—for the Workman.

AWARD

- 1. Central Government, Ministry of Labour, New Delhi vide its Notification No. L-22012 325 F 93 I.R. (C. H) dated 27-12-91 has referred the following dispute for adjudication to this Tribunal:
 - KYA VARISHT KHYTRIYA PRABAN-DHAK KHADYA NIGAM, LUCK-NOW DWARA SHRI TILAK SINGH ASSISTANT GRADE III KI DINANK 7-3-88 SE SEWA SE BARKHASTGI KAR DENE KI KARYWAHI UCHIT AVEM VIDH HAI? YADI NAHI TO KARMKAR KIS ASUTOSH KE PANE KE HAKDAR HAI.
- 2. The concerned workman Tilak Singh was working as Assistant Grade-III Depot at Airstrip, Lalitpur where he was placed under suspension on 25-11-85 and was subsequently issued a charge sheet dated 28-2-87 the copy of which is attached herewith. B. P. Goel, an officer of the opposite party Food Corporation of India was appointed enquiry officer. After completing enquiry he submitted his report on 30-12-87. Agreeing with this report disciplinary authority after issue show cause notice, passed order of dismissal on 7-3-88. Feeling aggrieved the concerned workman has raised the instant industrial dispute.
- 3. In the claim statement it has been alleged that enquiry was not fairly and properly held. Charge Sheet was not issued by the authorised authority, the concerned workman was only AG-III and could not be made responsible for entire Depot. No opportunity was given to defend himselt. Papers were also not supplied.
- 4. The opposite party has filed reply in which all the allegations made in the claim statement have been denied.
 - 5. In the rejoinder nothing new was said.
- 6. On the pleading of parties a preliminary issue regarding validity of domestic enquiry was framed and vide finding dated 13-2-96 it was held that enquiry was not fairly and properly held. Further on the request of management they have been allowed to prove the misconduct on merits
- 7. In support of their case the management examined Ram Sewak Verma, Asstt. Manager, De. K. Sharma A. G.-I and N. K. K. Kutty besides the documents file in the enquiry proceedings were relied upon. The workman Tilak Singh has examined himself beside he file Ext. W-1 to Ext. W-39.

- 8. The first contention is that chargesheet was not properly issued. Zonal Manager was his appointing authority whereas Chargesheet has been issued by Senior Regional Manager. The management has filed the relevant regulations regarding issue of chargesheet. I have gone through it shows that Sr. Regional Manager is the appointing authority of category III employees. Certainly the concerned workman belongs to this category. Hence Sr. Regional Manager being his appointing authority had every right to issue chargesheet. Hence it is held that there is no defect in the chargesheet.
- 9. Now it will be seen as to how for charges have been proved. A perusal of chargesheet would go to show that there are four lapses. Charge 'c' and 'd' of the chargeshect relates to failure on the party of the concerned workman to product and preserve the stock of wheat. The above mentioned management witness have made statement in this regard. The concerned workman has denied it on oath. It was alleged that sufficient quantity of Nylon and Rope was available and yet the stock of wheat was not covered, as a result of which it was soaked in rainly water. The Au. Rep. of the concerned workman has carried me through the chargesheet and the enquiry report of R. A. Prasad, Joint Manager. This officer was issue chargesheet for not supplying Nylon and Rope as result of which the wheat of stock was damaged. This officer was punished as well. When the management had already punished R. A. Prasad for not supplying Nylon, the charges against the concerned workman that he had failed to cover the wheat by Nylon is not tenable, as when Nylon was not available how could the concerned workman cover the stock by Nylon. Apart from this the concerned workman has filed Ext.-5 to Ext.-18 various letters written by the Distt. Manager and other authorities, alleging that this wheat was infested. When the wheat was already deceased there could not be any liability of the concerned workman. Hence because of these two facts I do not accept the version of management and hold that charges C and D are not proved.
- 10. The charge No. 'b' relates to failure on the part of the concerned workman to attend Airstrip Lalitpur regularly. This charge is too vague to be investigated. Hence no liability can be fastened on the concerned workman in respect of vague charge.
- 11. Now it remains to be seen if the concerned workman had failed to maintain proper account of stock and also failed to submit periodical returns. In this regard there is evidence of N. K. K. Kutty which has been rebutted by the concerned workman. I am inclined to believe the version of the management that the concerned workman had failed to maintain the record of stock and had also not submitted periodical returns in respect of the

- stock of wheat. Otherwise the concerned workman would have proved papers in this regard. The concerned workman can also not escape the responsibility, on the pretext that as A.G. III it was not his responsibility. There is no dispute that he was deputed there to lookafter the stock and maintain the record. It implies that he would have been entrusted with this work by his seniors and under regulations and A. G-III is suposed to do work which is given to him. In the end my conclusion is that the concerned workman is guilty of this part of the charge.
- 12. As a result of above discussion it is held that part 'b' to 'd' of the charges are not proved where as part 'a' of the charge is proved. In my opinion for failure to maintain the stock is not such a grave charge which may warrant dismissal by way of punishment. Instead and of justice will be met if he is deprived to back wages from the date of dismissal upto the date of reference.
- 13. Accordingly my award is that dismissal of concerned workman vide order dated 7-3-88 is bad in law and he will be entitled for reinstatement with back wages from the date of reference.
 - B. K. SRIVASTAVA, Presiding Officer

THE FOOD CORPORATION ON INDIA REGIONAL OFFICE: LUCKNOW

V & \$|4(304)|R.O. LKO|85|3168

MEMORANDUM

Dated, 28th February, 1987

The undersigned proposes to hold an inquiry against Shri Tilak Singh, AG-III(D) under Regulation 50 of the Food Corperation of India, Staff Regulation, 1971. The substance of the imputation of misconduct or misbehaviour in respect of which the inquiry is proposed to be held is sent out in the enclosed statement of articles of charge (Annexure-I). A statement of the imputation of misconduct or misbehaviour in support of each articles of charge is enclosed (Annexure-II). A list of documents by which and a list of vitnesses by whom the articles of charge are proposed to be sustained are also enclosed (Annexure-III and IV).

Shri Tilak Singh. AG-III(D) is directed to submit within 10 days of receipt of this Memorandum a written statement of his defence and also to state whether he desires to be heard in person.

He is informed that an inquiry will be held only in respect of those articles of charge as are not admitted. He should, therefore, specifically admit or deny each article of charge.

Shri Tilak Singh, AG-III(D) is further informed that he does not submit his written statement of defence on or before the date specified in para-2

above or does not appear in person before the Inquiring Authority or otherwise fails or refuses to comply with the provisions of Regulation 5 of the FCI (Staff) Regulation, 1971, or the orders directions issued in pursuance of the said Regulation the Inquirying Authority may hold the inquiry against him Ex. Parte.

Attention of Shri Tilak Singh, AG-III(D) is invited to Regulation 58 of the Food Corporation of India (Staff) Regulation, 1971 under which no employee shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his interests in respect of matter pertaining to his service under the Corporation. If any representation is received on his behalf from another person in respect of any matter dealt within these proceedings it will be presumed that Shri Tilak Singh, Asstt. Grade-III(D) aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Regulation 50 of the FCI Staff Regulation 19971.

The receipt of this Memorandum may be acknowledged.

Sd¦-

Regional Manager, Disciplinary Authority

To,

Shri Tilak Singh, AG-III(D), Through the District Manager, Food Corporation of India, Bulandshahr.

Copy to :---

- 1. The Distt. Manager, FCI Jhansi|Bulandshahr.
- 2. The Zonal Manager(N), FCI, New Delhi.
- 3. The Manager (Vig.), FCI, Headquarters, New Delhi.
- 4. The Enquiry Officer.
- 5. The Presenting Officer.

Sd:-

Deputy Manager (Vig.), Feed Corporation of India, Regional Office, Lucknow.

ANNEXURE I

STATEMENT OF ARTICLE OF CHARGES FRAMED AGAINST SHRI TILAK SINGH, AG-III(D).

ARTICLE I

Shri Tilak Singh, AG-III(D) while posted and functioning as I'C Sect. 'A' at Airstrip, Lalitpur 2357 GI/97-16

during the year 1984 & 85 failed to maintain absolute integrity and devotion to duty and to serve the Corporation honestly and faithfully in as much as he failed:—

- (a) to maintain proper and up-to-date stock accounts in the prescribed manner and to render periodical accounts returns;
- (b) to attend airstrip Lalitpur regularly;
- (c) to protect the stock of wheat stored at CCAP from losses|damages during storage; and
- (d) to maintain and preserve the stocks and to carry out regular inspections and to provide treatment to the stocks.

Due to above acts and criminal negligency and failures on the part of said Shri Tilak Singh, the Corporation has suffered huge financial losses on account of storage lossishortages and damages to the stocks, besides damaging the image of the Corporation in Public and loss to the national property.

Thus Shri Tilak Singh, AG-III(D) has contravened regulations 31 & 32 of FCI Staff Regulations 1971.

Sd|-

RAJENDRA BHONWAL, Sr. Regional Manager, Disciplinary Authority.

ANNEXURE II

STATEMENT OF IMPUTATION OF MISCON-DUCT OR MISBEHAVIOUR IN RESPECT OF ARTICLES OF CHARGE FRAMED AGAINST SRI TILAK SINGH, AG-III(D).

ARTICLE I

Sri Tilak Singh, AG-III(D) while posted and functioning as I C Sector 'A' at Airstrip, Lalitpur, failed to serve the Corporation honestly, faithfully and devotedly during the period 1984 and 1985. Due to his criminal negligency and failures huge losses|shortages and damages caused to the wheat stocks stored at AS Lalitpur. Said Sri Tilak Singh was posted as Incharge of Sector 'A' of AS Lalitpur where total quantity of 999MT(App) NT of wheat was stored on 95 stacks. Sri Tilak Singh as Incharge of the Sector 'A' and custodian of the stock was required to take all precautionary and necessary steps for maintenance and preservation and protection of the stocks stored under his charge to avoid losses, damages and shortages. The stock stored in CAP was required constant inspection. covering, de-covering, aeration and cleaning of gallaries etc. for proper maintenance and preservation. During October, 1985 heavy rains caused damage to the stocks stored at AS Lalitpur. On

investigation and enquiry it was found that Sri Tilak Singh has utterly failed to perform his duties on regular basis as no proper care was given to the stocks. No proper and upto date accounts of the transaction of airstrip were maintained. The gunny account, stackwise register, receipt and issue and accounts of dead stock articles were not maintained on regular basis. No periodical returns like monthly accounts, issues and receipts, statements in respect of stocks and dead stock articles were submitted to Distt. Office inspite of repeated requests.

Sufficient number of polythene covers gunnies were supplied to AS Lalitpur during the year 1985 with a view to provide covering to all the stacks stored at the Airstrip. Further, for protection from the rains, sufficient quantity of nylone ropes was provided for lashing of the covers on stacks but Sri Tilak Singh did not attend to these important functions. As per report of Sri S. N. Sen, Dy. Manager (QC), the stacks were mostly covered and lashed at the and of June 85 under special drive on their failure. Thereafter too, no care was taken for regular inspection, covering, de-covering, aeration of the stacks and cleaning of the gallaries. Dut to his negligency stacks remained upen and uncovered. With sudden rains during 4 October 85 to 10 October, 85 the stacks which remained uncovered got heavily damaged. During rains Sri Tilak Singh failed to attend airstrip and to take remedial measures for protecting the stocks from rains. He also failed to report the matter about damages, accumulation of water, nonsupply of labour by the HTC to his superiors. Since he was himself not attending the duties regularly he did not report the matter to higher authorities.

During inspection of Sri N. Srinivasan, DM(QC), and other Asstt. Managers from DO Jhansi after the rains of October 85, it was noticed that most of the stacks got rain affected collapsed due to heavy rains because stacks remained unattended for covering lashing.

As per statement of AM(D), Lalitpur for period from January, 85 to October, 85, 42,100 A class and 1565 B class gunnies were supplied to As Lalitpur for filling up of loose grains. Inspite of availability of sufficient gunnies loose grains were kept in heaps at the airstrip in Sector 'A'. Not only this gallaries and alleyways were not cleaned on regular basis. When it rained heavily in October 85, rain water accumulated on the airstrip as huge quantity of loose grains were lying scattered in heaps, under the stacks and in gallaries. The stocks which remained uncovered collapsed during the rains. Many stacks already collapsed before the rains got fully drenched and damaged due to rain water Entire quantity of loose grains which was not filled in gunny bars not completely damaged. Similarly, due to rains heavy quantity of stock in the stacks was affected with the rain water which caused damages to stocks.

To cover-up shortages and misappropriation of steeks, fictitious intimations were given to police authorities whereas as per procedure proper FIR for each incident of thett should have been lodged with concerned police station as custodian of the stock. This was done with ulterior motives.

No uptodate accounts were kept and stock was not kept in countable position to avoid physical verification of stocks of his sector at Ais Lalitpur. The records and ales of Sector 'A' were incomplete and the condition of the stacks were deplorable and as such it was difficult to take over charge by other staff for improvement of the prevailing conditions. Ultimately, the charge was taken over by other staff on book balance so that further remedial steps could be taken to save the valuable foodgrains from further deterioration.

The entire damages and the loss occured at Sector 'A' was due to failure of Sri Tilak Singh, who deliberately did not maintain upto date accounts and keep the stock in countable position to avoid detection of misappropriation and shortages of the stock.

Due to his criminal negligency and failure huge quantity of stock has been damaged and there is great national loss at Airstrip Lalitpur and for such loss Sri Tilak Singh, AG-III(D) is responsible. Thus, he contravened Regulations 31 and 32 of FCI Staff Regulations, 1971.

Sd|-RAJENDRA BHONWAL, Sr. Regional Manager, Disciplinary Authority.

ANNEXURE III

STATEMENT OF LIST OF DOCUMENTS IN SUPPORT OF EACH ARTICLES OF CHARGE FRAMED AGAINST SHRI TILAK SINGH, AG-III(D).

- 1. D.O. letter of DM Jhansi No. E. 2(5)| 85-QC|JHS dt. 7-7-85.
- 2. Office order No. FCI A[S|Air LAR] Admn|85 dt. 19-11-85 of AM(D), Lalitpur.
- 3. Office order of AM(D) Lalitour No. nil dated 28-11-85.
- 4. Representation dt. 30-11-85 from staff newly posted for take over charge.
- 5. Handing taking over statement in respect of Sector 'A'.
- 6. Letter dated 5-12-85 of AM(D) addressed to SCHO Kotwali, Lalitpur.
- 7. Office order No PA-SRM/84-85/1379 dt. 10-11-85, of SRM.

- 8. Inspection note dt. 26-10-85 of S|Shri M. R. Ramakrishnan, AM(QC), and N. Srinivasan, DM(QC).
- Final report of assessment of Sri N. Srinivasan DM(QC), RO, Lucknow, dt. 05-11-85.
- 10. Letter No. AM(QC)|FSD|JHS|85 dt. 10-10-85 of Sri Ram Sewak, AM(QC), DO, Jhansi.
- 11. Report dt. 15-10-85 from Sri N. K. K. Kutti, AM(Stg), DO, Jhansi.
- 12. Report dt. 16-10-85 of Sri K. P. Goel, AM(QC), DO, Jhansi.
- 13. Report dt. 16-10-85 of Sri S. R. Shukla, AM(Admn), DO, Jhansi.
- 14. Telegram No. E|4(1)|CAP|85|86|JHS dt. 20-10-85 of AM(QC).
- 15. Inspection report No. AM(QC)|JHS|85 dt. 31-10-85 of S|Shri Ram Sewak and P. Rama Rao, AMs(QC).
- 16. Letter dt. 23-11-85 from Sri Sarwan Singh, AG I(D).
- 17. Statement dt. 22-11-85 of Sri Kishan Singh, AG I(D), Sector-E.
- 18. Statement dt. 22-11-85 from Sri Tilak Singh, AG III(D), Sector-A.
- 19. Statement dt. 21-11-85 from Sri Khoob Chand, AG III(D), Sector I|c-B.
- 20. Statement dt. 23-11-85 of Sri N. K. Jain, AM(D).
- 21. Statement dt. 22-11-85 of Sii R. G. Agarwal, TA II.
- 22. Statement No. FCI|SS|LAR|QC|85 dt. 22-11-85 of Sri R. N. Verma, TA I.
- 23. Statement dt. 22-11-85 of Sri S. R. Dwivedi, TA I.
- 24. Statement dt. 22-11-85 from Sri Ram Nath, TA I.
- 25. Statement No. FCI|S|LAR|QC|85|924 dt. 5-10-85 from TA I addressed to AM(D), Lalitpur.
- Statement No. PCI|AS|LAR|QC|85|383 dated 18th|19th September, 1985 of Sri R. K. Nim, TA I.
- 27. Statement No. QC|Damage|LAR|85 dated 14th August, 1985 from Sri S. R. Dwivedi.
- 28. Photocopy of letter No. FCI|AS|LAR| QC|85|884 dated 19th September, 1985

- of Sri R. K. Nim, TA I, addressed to all Doctor Incharges of AS Lalitpur.
- 29. Office order No. FCI|AS|LAR|Estt.85. 913 dated 13th September, 1985.
- 30. Photocopy of d.o. letter No. A|23|MIR| LAR|83 dated 4th November, 1985 of Sri S. C. Pagare, DM, Jhansi.
- 31. Joint statement of percentage of categorisation and classification of wheat stocks stored at AS Lalitpur as on 31st October, 1985 from QC staff officers.
- 32. Letter No. A|23(Security)|81 dated 16th October, 1987 of DM (Vig) RO Lucknow addressed to DM Jhansi.
- 33. Statement showing details of foodgrains stocks from AS Lalitpur.
- 34. Statement of payment of casual labour of HTC at AS Lalitpur.
- 35. Photocopy of letter dated 25th October, 1985 of Sri S. C. Pagare, DM, addressed to Sri Rama Rao, AM(QC).
- 36. Letter dated 31st October, 1985 of Sri N. K. Jain, AM(II), AS Lalitpur, addressed to SRA, Lucknow.
- 37. Photocopy of letter No. PSD|AS|LAR| DS|85-86|258 dated 20th August, 1985 of Sri N. K. Jain, AM(D), Airstrip, Lalitpur, addressed to Sri S. C. Pagare, DM, Jhansi,
- 38. Two attendence registers for the month of October, 1985 of FSD Lalitpur for QC and depot staff.
- 39. Statement showing details of damages of stocks and its categorisation and losses as on 28th February, 1987.

RAJENDRA BHONWAL, Sr. Regional Manager Disciplinary Authority

ANNEXURE IV

STATEMENT OF WITNESSES BY WHOM EACH ARTICLES OF CHARGE IS PROPOSED TO BE SUSTAINED AGAINST SRI: TILAK SINGH, AG-III(D)

- 1. S|Sri Ram Sewak Verma, AM(QC)
- 2. P. Rama Roy, AM(QC)
- 3. M. K. Chaudhary, AM(QC)
- 4. N. K. K. Kutti, AM(Stg) DO Jhansi
- 5. R. K. Nim, TA I
- 6. M. R. Ramakrishan, AM(QC)
- 7. N. Sriniwasan, DM(QC)
- 8. N. K. Jain, AM(D)

- K. K. Unni, DM Jhansi 9.
- 10. D. S. Sharma, AG I(D) Sector A
- 11. Ram Paras AG I(D) Sector B.
- 12. K. C. Churasia, AG II(D) Sector C
- 13. R. S. Hayaran, AG $\Pi(D)$ Sector D
- 14. Sripat, AG II(D) Sector E
- 15. Jamuna Dass, AG II(D) Sector F
- 16. R. K. Jain, AG II(D) Sector G
- 17. S. R. Diwedi, TA I.

RAJENDRA BHONWAL. Sr. Regional Manager Disciplinary Authority

नई विल्ली, 2 सितम्बर, 1997

का. श्रा. 2508 :---श्रीद्योगिक विवाद श्रिधितियम, 1947 (1947 का 14) की धारा 17 के प्रनसर्ण में, केन्द्रीय सरकार मैसर्स एन.सी.एल. के प्रबन्धतंत्र के संबद्ध नियोजकों ग्रौर उनके हर्मकारों के बीच, श्रनबंध में नि**दिष्ट भो**द्योगिक विवाद में, केन्द्रीय सरकार **भौ**द्योगिक अधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 1-9-97 को प्राप्त हुन्ना था।

> [संख्या एल. 22012/139/88 डी. (4) बी)] एस. रविण भ्राली, डैस्क अधिकारी

New Delhi, the 2nd September, 1997

S.O. 2508.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M|s. N. C. Ltd., and their workman, which was received by the Central Government on the 1-9-97.

> [No. L-22012]139[88-D, 4(B)] S. RAVISH ALI, Desk Officer **ANNEXURE**

BEFORE SHRI B. K. SRIVASTAVA PRESIDING OFFICER CENTRAL GOVERNMENT INDUS-TRIAL TRIBUNAL-CUM-LABOUR COURT DEOKI PALACE ROAD PANDU NAGAR KANPUR

Industrial Dispute No. 66 of 1989

In the matter of dispute between: Rajesh Kumar Singh CO Mahendra Pratap Singh Naveen-Gari Sarojni Nagar Lucknow.

AND

General Manager Kakri Project MIS. N.C. Ltd., P.O. Bina Distt. Mirzapur.

APPEARANCE:

Shri K. G. N. Khare--for the workman. Shri V. K. Gupta—for the management.

AWARD

1. Central Government Ministry of Labour New Delhi vide its Notification No. L-22012(139) 88-D-4 (B) dated 3-3-89 has reterred the following dispute for adjudication to this Tribunal:

Whether the action of the General Manager, Kakri Project of MS. Northern Coalfields Ltd. P.O. Bina Dist. Mirzapur in dis-missing Sri Rajesh Kumar Singh Driver Cat-V, Kakri Project with effect from 9-12-87, is justified? If not, to what relief the workman concerned is entitled?

- 2. There is Kakri Project of the opposite Northern Coalfields Ltd. having its office at Bina. The concerned workman Rajesh Kumar was working as Driver with the opposite party at this place. These is no dispute that in the morning of 17-8-86 concerned workman was driving Jeep No. CIE 302 from Bina Colony to Mogal Sarai which was accupied by M. C. Karmarkar, Executive Engineer, V. K. Srivastava, Engineer (E&M) and J. K. Samanta, Assit. Accounts Officer. In the way near Fipri Town at about 8 A.M. when the Jeep was going ahead one ambassader Car No. DEB 8332 after taking this Jeep, deployed the same just in front of Jeep the road. The concerned workman stepped his Jeep. Some miscreants alighted from the car and dragged three accupents of the Jeep of Bank Drafts Rs. 50,000, 30,000, 25,900 and Travelling cheques for Rs. 39000. The charge against the concerned workman is that there was collusion between concerned workman and the miscreants. As result of which he had stopped the Jeep had not made efforts to by pass the Ambassador Car or going back by applying reverse gear. This charge sheet was issued 19-7-86. One D. C. Srivastava Personnel Manager Administration was appointed Enquiry Officer. After completing enquiry he submitted his report on 10-11-87. Agreeing with this report the Disciplinary Authority passed order of dismissal 7/8-12-87. Feeling aggrieved the concerned workman has raised the instant industrial dispute.
- 3. In the claim statement it was denied that the concerned workman had any hand in the robbery and that enquiry was not fairly and properly held.
- 4. In the written statement it was maintained that there was complicity of the concerned workman with the miscreants and that enquiry was fairly and properly held.
- 5. On the pleadings of the parties a preliminary issue regarding fairness and propreity of domestic enquiry was framed. Vide finding dated 8-8-96 it was held that enquiry was not fairly and properly held. Accordingly the management was given opportunity to prove the misconduct on merits.
- 6. In support of his case M. C. Karmkar MW(1) was examined. In rehuttal the concerned workman Rajesh Kumar Singh examined himself as WW(1). M. C. Karmakar in the part of evidence harrated about the Jeep being driven by the concerned workman and further that 3 officers were in the Jeep. He has further stated that the Quarter from which looted articles were recovered was under construction. It was not

alleged to any one. Brijes Singh is the real brother of the concerned workman. The only fault of the conceined workman was that he did not make effort to save the officers. In this cross examination he has stated that when the concerned workman was asked to come next morning he was not informed about the destination where Jeep was to go. The concerned workman also did know that officers were having money. The place where Jeep was stopped was on . The concerned workman was not dragged चढाई by the robbers had cut the Pipe of Engine. At that time no body could to be identified Rajesh Kumar Singh has stated that when robbers cone to Jeep they dragged all the four occupants of the Jeep including the concerned workman and made them to stand facing towards other side. He has admitted that Brijesh Singh his brother. This is the entire evidence.

- 7. It will be noticed from the above reviewed of evidence that Brijesh Singh is the brother of the concerned workman who is standing trail before Court of Law for this robbery. From this it is sought to be alleged that there was connibance. I may be mention that this trail is still pending. None of robbers could be indentified on the spot. Hence it will be not legally justified to say that Brijesh Singh was actually involved. From this complicity of the concerned workman can also not be inferred. Hence my finding is that there was no hand of the concerned workman in this robbery.
- 8. The other act of concerned workman is that he did not went ahead with the Jeep after by passing an Amessodor Car which deployed infront of it. For establishing this in action here should have been evidence that the widths of road was such that Jeep could gone ahead as there was sufficient space on the road. I am further of the view that no sufficient opportunity for the concerned workman to put reverse gear after the car was deployed. Further in my opinion when car was deployed all of sudden the concerned workman would have lost his cool in such a position by way of nature reflects Jeep could have been stopped in order to avoid accident. By that time the driver would not have even sensed danger. In my opinion in such risky situation no body would come forward to same others because of natural instinet of self preservation. Hence taking to consideration all these aspects I am not believe the version of the management and hold that there was no in action on the part of the concerned workman which could be said as negligence Act. There was no colusion between the concerned workman and the robbers. Hence the charges against the concerned workman is not correct. Consequently my award is that concerned workman was wrongly punished by way of dismissal. He will be entitled for reinstatement with back wages from the date of reference.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 2 सितम्बर, 1997

का. श्रा. 2509 :— प्रौद्योगिक विवाद श्रिधिनियम 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एक सी श्राई के प्रबन्धतंत्र के संबद्ध नियोजकों श्रीर उनके कर्मकारों के बीच, श्रनुबंध में निर्दिष्ट श्रीद्योगिक विवाद में, केन्द्रीय सरकार श्रीद्योगिक श्रीधकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 1-9-1998 को प्राप्त हुआ। था।

[सख्या एल-22012/11/96--आई आर (सी-II)] एस र्यायण अली, उस्क अधिकारी

and orderance as experiment of

New Delhi, the 2nd September, 1997

S.O. 2509.—in pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of F.C.I. and their workman, which was received by the Central Government on the 1-9-97.

[No. L-22012|11|96-IR(C-II)* S. RAVISH ALI, Desk Officer ANNEXURE

BEFORE SHRI B. K. SRIVASTAVA PRESIDING OFFICER CENTRAL GOVERNMENT INDUS-TRIAL TRIBUNAL-CUM-LABOUR COURT DEOKI PALACE ROAD

PANDU NAGAR, KANPUR

Industrial Dispute No. 108 of 1996

In the matter of dispute between:

Neelam Sharma D|o Ram Chandra Sharma Kothi No. 4 Raj Bhawan Colony Servant Quarter Lal Bahadur Shastri Marg Lucknow.

_ AND

Regional Manager Food Corporation of India 5-6 Habibulla Estate Hazaratganj Lucknow.

APPEARANCE:

T. B. Singh--for the workman and P. C. Agarwal--for the Management.

AWARD

- 1. Central Govt. Ministry of Labour, New Delhi vide its notification No. L-22012|11|96-IR(C.II) dated 24-10-96, has referred the following dispute for adjudication to this Tribunal—
 - Whether the action of the Sr. Regional Manager Food Corporation of India, Lucknow to terminate the services of Kumari Neelam Sharma workman w.e.f. 1-2-95 is legal and justified? If not to what relief she is entitled to?
- 3. The case of the concerned workman Kumari Neelam Sharma is that she was engaged as Telephone Operator on 1-2-94 by the opposite party Food Corporation of India at Lucknow at the rate of 40 per day by way of wages. Later on w.e.f. 1-6-1994

she was given Rs. 1500 per month as wages. She continued to work upto 31-1-95 whereafter, his services were terminated in breach of section 25-F of I.D. Act.

- 4. The opposite party has filed reply in which it has been alleged that concerned workman was lateron engaged on contractual basis from month to month to meet the exigency of work. There was already a full time telephone operator. Hence no temporary appointment could be made for want of vacancy. The concerned workman had not completed 240 days. It is needless to give full details of the case as she did not adduce any oral evidence to support her case. Anyhow, the management examined Chandra Bhaiya M.W.1. Further management has filed ext, M.1.
- 5. It is obvious that burden to prove breach provisions of section 25F of I.D. Act lay upon the concerned worklady. She has failed to discharge it by appearing in witness box. Hence my answer to the reference is that termination of the concerned worklady is not bad in law. Consequently she is not entiled for any relief.

B. K. SRIVASTAVA, Presiding Officer

नर्ड दिल्ली. 5 सितम्बर: 1997

का. था. 2510 :- श्रीधोगिक विवाद श्रिधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई. सी. एल. के प्रबन्धतंत्र के संबद्ध नियोजकों ग्रौर उसके कर्मकारों के बीच, श्रन्बंध में निर्दिष्ट श्रौद्योगिक विवाद में, केन्द्रीय सरकार श्रौद्योगिक ग्रधिकरण, श्रासनसोल के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-9-97 को प्राप्त हुन्नाथा।

> [संख्या एल.-22012/71/96-माई आर (सी-II)] एस, रक्षिण प्रली, डैस्क प्रधिकारी

New Delbi, the 5th September, 1997

S.O. 2510.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Acansol as shown in the America, in the industrial dispute between the employers in relation to the management of E. C. Ltd. and their workman, which was received by the Central Government on the 3-9-97.

> [No. L-22012/71/96-IR(C-II)] S. RAVISH ALI, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL, ASANSOL

REFERENCE NO. 23 OF 1997

PRESENT:

Shri R. S. Mishra, Presiding Officer.

PARTIES:

Employers in relation to the management of Mandar-boni Colliery of M/s. E. C. Ltd.

Their Workmen

APPEARANCES:

For the Employer: Sri P. Baneriee, Advocate. For the Workmen: Sri S. K. Pandey, Geul. Secretary of the Union.

INDUSTRY: Coal

STATE: West Bengal

Dated, the 26th August, 1997

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them by clause (d) of sub-section (1) and sub-section (2A) of Section of the Industrial Disputes Act, 1947 has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. L-22012/71/96-IR(C-II) dated 14-3-97.

"Whether the action of the management of Manderboni Colliery of ECL in dismissing Sh. Ranku Sahu, Timber Mazdoor, w.e.f. 24-4-93 on charge of unauthors." rised absence from duty is legal and justified? If not, to what relief the concerned workman is entitled?"

The General Secretary of the union submits that the dispute has been settled with the management and he also files a photo copy of the settlement. It has been duly signed by representatives of the parties.

3. Award as per settlement is passed and the Written Settlement to form a part of the award.

R. S. MISHRA, Presiding Officer FORM 'H'

MEMORANDUM OF SETTLEMENT BETWEEN THI MANAGEMENT OF PANDAVESHWAR AREA, ECI AND REPRESENTATIVES KOYALA MAZDOOR CONGRESS

Management Representatives:

- Sri A. Sengupta, Personnal Manager (I/C), Pandaveswar Area Sri B. K. Roy,
- Personnel Manager, Pandaveswar Area.

Union Representatives of Workman:

Sri S. K. Pandey, General Secretary, Koyala Mazdoor Congress.

Short Recital of the case :

Sri Ranka Sahu, Timber Mazdoor of Manderboni Colliery was dismissed from service vide letter No. 06 SF/dated 22-4-93 on the ground of unauthorised absence from duty 22-4-93 on the ground of unauthorised absence from duty since 5-8-92. Industrial Dispute was raised by Koyala Mazdoor Congress against the said order of dismissal. As agreed by the union the matter was placed before the competent Authority for reinstatement of Sri Sahu as U/G Leader. The General Manager (IR), ECL/Sanctoria vide his letter No. ECL/CMD/C-6E|20|1452 dated 5-12-96 has communicated and communicated cated the approval for reinstatement of above noted workman as U/G Loader in view of the fact that union has agreed that the concerned workman is agreeable to work as U/G Loader with the following terms and conditions:-

Terms and Conditions of the Settlements:

- Shri Ranka Sahu may be allowed for duty on his reinstatement as UG. Loader.
- He will not be paid any benefit/wages for the back period. The period of absence will be treated as dies-non.
- He will be given continuity of service for the purpose of gratuity only.
- The settlement will have the effect from the date of signing the agreement.

ACCEPTED:

L.T.I. of Sri Ranka Sahu. (SRI RANKA SAHU)
U. Men No. 764909
Ex Timber Mazdoor Manderboni Colliery

 Sd/-(A. SENGUPTA)

2. Sd/-(S. K. ROY)

1. (S. K. PANDEY)

Ref : No. 06SF/

Date: 20-12-96

Copy forwarded to: 1. Chief Labour Commissioner (C), New Delhi.

2. Regional Labour Commissioner (C) Apear Garden. Asansol, Distt. Burdwan.

नई दिल्ली, 5 सितम्बर, 1997

का. ग्रा. 2511 :--ग्रीद्योगिक विवाद श्रधिनियम. 1947 (1947 का 14) की धारा 17 के प्रनुसरण में, केन्द्रीय सरकार ई. सी. एल. के प्रबंधतंत्र के मंबद्ध नियोजकों ग्रौर उनके कर्मकारों के बीच, ग्रन्बंध में निर्दिष्ट ग्रौद्योगिक विवाद में, केन्द्रीय सरकार श्रीद्योगिक श्रधिकरण, श्रासनसोल के पंचपट को प्रकाणित करती है जो केन्द्रीय सरकार को 3-9-97 को प्राप्तहम्राथा।

> [संख्या एल.-22012/84/96-प्राई ग्रार. (सी -I])] एस. रविश भली, डैस्क श्रधिकारी

New Delhi, the 5th September, 1997

S.O. 2511.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Asansol as shown in the Annexure, in the industrial dispute between the employers in relation to the management of E. C. Ltd and their workman, which was received by the Central Government on the 3-9-97.

> [No. L-22012/84/96-IR(C-II)] S. RAVISH ALI, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVT INDUSTRIAL TRIBUNAL, ASANSOL

REFERENCE NO. 34/97

PRESENT:

Shri R. S. Mishra. Presiding Officer.

PARTIES:

Employers in relation to the management of Dabour Colliery of M/s F. C. Ltd.

AND

Their Workmen

APPEARANCES:

For the Employer-None.

For the Workmen---None,

INDUSTRY: Coal STATE: West Bengal

Dated the 25th August, 1997 AWARD

The Government of India in the Ministry of Labour in exeriese of the powers conferred on them by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. L-22012/84/96-IR(C-II) dated 20-5-97.

"Whether the action of the management of Colliery of ECL in unilaterally stopping the attendance of Sh. Sonapati Nunia and 9 others Truck/ Wugon Loaders (list enclosed) w.e.f. 30-6-94 vide Office Order No. DRC/C-6/2186 dated 28-6-96 and denying them wages for the period of forced ab-sence is legal and justified? If not, to what relief the concerned workmen are entitled?"

- 2. The union does not appear or take any step in spite of receiving notice by Registered post, as reflected by the postal acknowledgement card. Apparently not interested in the dispute.
 - 3. Hence 'No Dispute Award' is passed.

R. S. MISHRA, Presiding Officer

नई दिल्ली. 5 सितम्बर, 1997

का. आ. 2512 :---श्रीद्योगिक विवाद श्रिधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसुरण में, केन्द्रीय सरकार मैसर्स ई. सी.एल. के प्रबन्धतंत्र के संबद्ध नियोजकों भ्रौर उनके कर्मकारों के बीच, धन्बंध में निर्दिष्ट श्रौद्योगिक विवाद में, केन्द्रीय सरकार श्रौद्योगिक श्रधिकरण, श्रासनसोल के पंचपट को प्रकाणित करती है, जो केन्द्रीय सरकार को 3-9-97 को प्राप्त हुन्नाथा।

> [संख्या एल-22012/218/91-म्राई म्रार(सी-II)] एस. रविश अली, डैस्क अधिकारी

New Delhi, the 5th September, 1997

S.O. 2512.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Asansol as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. E. C. I.td. and their workman, which was received by the Central Government on the 3-9-97.

> [No. L-22012/218/91-IR(C-II)] S. RAVISH ALI, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL ASANSOL

REFERENCE NO. 5 OF 1992

PRESENT:

Shri R. S. Mishra, Presiding Officer.

PARTIES:

Employers in relation to the management of Tilaboni Colliery of M/s, E, C. Ltd.

Their Workmen

APPEARANCES:

For the Employer: P. K. Das, Advocate. For the Workmen: None,

INDUSTRY: Coal STATE: West Bengal

> Dated, the 26th August, 1997 AWARD

The Government of India in the Ministry of Lubour in exercise of the powers conferred on them by clause (4) of sub-section (1) and sub-section (2A) of section 10 of the Industrial Disputes Act. 1947 has referred the following dis-

pute to this Tribunal for adjudication vide Ministry's Order No. L-22012/218/91-IR(C-II) dated 9-1-1992.

- "Whether the action of the management of Tilaboni Colliery of M/s. ECL, PO; Nkhra, Distt. Burdwan in dismissing Shri Arun Bagti U/G Loader w.e.f. 2-3-90 is justified? If not, to what relief is the concerned workman entitled?"
- 2. The union or its advocate does not take any stop or appear even though the reference is called for hearing. Apparently not interested in the dispute.
 - 3. Hence 'No Dispute Award' is passed.

R. S. MISHRA, Desk Officer

नई दिल्ली, 5 सितम्बर, 1997

का. ग्रा. 2513:—ग्रौद्योगिक विवाद ग्रिधिनियम, 1947 (1947 का 14) की धारा 17 के भ्रनुसरण में, केन्द्रीय सरकार एफ, सी. आई. के प्रबन्धतंत्र के संबद्ध नियोजकों ग्रौर उनके कर्मकारों के बीच, श्रनुबंध में निर्दिष्ट ग्रौद्योगिक विवाद में, केन्द्रीय सरकार श्रौद्योगिक श्रिधकरण, धनबाद नं. 1 के पंचपट को प्रकाणित करती है, जो केन्द्रीय सरकार को 3-9-97 को प्राप्त हुआ था।

[संस्था एलं.-22012/371/95-आई श्रार (सी-II)] एस. रविश ग्रली, डैस्क ग्रधिकारी

New Delhi, the 5th September, 1997

S.O. 2513.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Dhanbad No. I as shown in the Annexure, in the industrial dispute between the employers in relation to the management of F.C.I. and their workman, which was received by the Central Government on 3-9-1997.

[No. L-22012/371/95-IR(C-II)] S. RAVISH ALI, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I AT DHANBAD

PRESENT:

Shri T. Prasad, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947

Reference No. 21 of 1996

PARTIES:

Employers in relation to the management of Food Corporation of India, Patna and their workmen.

APPEARANCES:

On behalf of the workmen: Shri V. Kumar, State Joint Secretary.

On behalf of the employers: Shri D. C. Soni, D.M. STATE: Bihar. INDUSTRY: Food.

Dhanbad, the 28th August, 1997

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal vide their Order No. L-22012(371)/95-IR(C-II), dated, the 29th March, 1996:

SCHEDULE

- "Whether the action of the management of Food Corporation of India, Pauna withholding of two increments and referring Shri Ram Ishwar Ram to the post of Watchman is justified and legal? If not, what relief the workman is entitled to?"
- 2. The workman and the sponsoring union have appeared and filed W.S. stating therein that he was initially appointed as Class IV post Watchman by the S.R.M., FCI, Patna on 12-4-78 and was posted at Bhagalpur but as there was vacancy in Class III post he was instructed to appear in the interview having qualification for the same i.e. graduation. It is also said that as per notice he appeared in the interview and was selected by the S.R.M., Patna FCI and where he reported as Assistant Grade-III on 19-8-87 to the D.M. FCI Bhagalpur vide order dated 17-8-87. It is also said that he was not promoted from Grade-IV to Ag. III(D) having requisite qualification for the same. It is said that the D.M. is the competent authority to give minor punishment against Class III employee and the S.R.M. is the competent authority for mine major penalty against the Class III employees.
- 3. It is also further said that while being posted at Bhagalpur a chargesheet was given to him by the D.M. for bringing political pressure etc. and without holding any enquiry punishment of withholding of two increments commulatively was passed by the D.M., FCI vide order dated 16-10-88. This action was without jurisdiction and void abinitio as he was not the competent authority to award major penalty against the concerned workman for withholding two increments as the same the major penalty under the FCI Staff Regulation, 1971. It is said that the workman filed appeal before the S.R.M. which is still pending from 1988 and the workman was later on reverted to the post of Watchman vide order dated 9-8-89 by the S.R.M. after completion of two years of service. It is said that as the workman was appointed in Assistant Grade III as such his reversion from Grade-III is wholly unjustified It is also said that no show cause was given before reversion of the workman to the post of his initial appointment and he was illegally reverted because no information was given to the workman about his short comings during his tenure as Ag. III-D nor he was shifted to any other office as per headquarters circular and it was not complied with by the management. It is also said that he was appointed by the S.R.M. and was reverted to the post of Watchman by the R.M. who is subordinate in rank and as such this action without iurisdiction of the management and the workman is entitled for the restoration of Ag. III from the date of reversion with back wages. The punishment of witholding two increments with commulative effect by the D.M., Bhagalnut and order of reversion was without jurisdiction and unjustified and he is entitled for restoration of his nost from the date of reversion and also entitled two increments. It is further said that the then D.M. Mr. A. K. Roy against whom a number of complaints was made for the illegal action taken. against the employees and the matter was enquired into by the manager. Vivilance Zonal Officer but no notion was taken. Therefore it was submitted that the Award be passed in favour of the workman as he was illegally and arbitrarily victimised by the management.
- 4. I further find that the management has appeared and filed W.S. stating there'n that the reference was not legally maintainable. It is also said that the workman was initially appointed on 3-4-78 as Class IV employee and was nosted at Bhagalpur vide letter dated19/20-8-87. It is also said that being Wetchman he was further appointed as Ag. III D on relaxation of prescribed and limit by the competent authority as against direct recruitment quota as per office order dated 1-8-87 post by the S.R.M. and was further posted at Bhagal-nur vide letter dated 17-8-87. He was again transferred from Bhagalour to Insidih vide letter dated 28-8-87 and he joined there as Ag. III D vide office order dated 15-1-88. He was senio transferred to Bhaeplour and joined at Bhaealour on It is also said that he had taken medical advance of Rs. 5000 for medical treatment but later on it was found to be incorrect and it is constituted misconduct However, this medical advance was adjusted from the salary from January, 1988 onwards. It is also said that he also misappropriated 147 bags of wheat during December, 1987 at railway siding Jasidih and when the same was detected

he was transferred back to Bhagalpur. It is further said that the concerned workmen made arious complaints against the D.M. for not getting false and fabricated medical bills passed and making various allegations against the D.M. without any merit. It is further said that the D.M. issued memorandum dated 23-2-87 proposing to take action against him and the concerned workman threatened to D.M. with dire consequences and he was charged for violating the F.C.I. Staff Regulations 1971. He submitted his reply dated 19-9-88 to the D.M. who considered all facts and circumstances i sued office order dated 16/19-10-88 imposing penalty of two increments for two years commulatively from 1-10-88 It is said that the D.M., F.C.I. has been given power to pass or oward for minor penalty for Class III and IV employees under his control.

- 5. It is further said that the concerned workman was on probation from 12-8-87 for a period of one year and when a C. 18-17 w. tehman or messenger is promoted as Ag. III he remained on probation for one year on that post and if his conduct and performance was not found satisfactory he was granted another terms of probation for one year more but again if not found satisfactory during the period of probation he is to tevert back to his original post and as per regulation of provision 15 the concerned workman was reverted to Class IV and he could not be confirmed as Ag. III (D). It is further said that under Regulation 15 any Official is liable to be removed from service without any reason if his conduct is not found satisfactory and as the concerned workman was initially appointed as Class IV employee and he was subsequently appointed as Ag. III he was merely reverted back finding his performance unsatisfactory. It is finally said that the action of the management in withholding two increments is minor penalty for commission of the misconduct and his reversion to the post of watchman under the facts and circumstances as noted above is quite legal and justified.
- 6. By way of rejoinder to the Written Statement filed by the workmen the contentions of the W.S. has been denied specifically and parawise saying to be incorrect and denied. It is also said that the concerned workman is not entitled to any relief and the reference be dismissed and the Award be passed in favour of the management.
- 7. I further find that the a rejoinder has been also filed to the W.S. of the management denying the contention specifically and parawise and the same is said to be not correct, false and denied and it is prayed that the award be passed in favour of the workman.
- 8. On the basis of the pleadings of the parties the points for consideration in this reference are:—
 - (a) Whether action of the management of FCI Patna withholding two commulative increments and reverting the workman back to the post of Watchman is justified?
 - (b) If not to what relief and other reliefs the workman is entitled.
- 9. Both the points are inter linked and as such they are taken together for their consideration.
- 10. I further find that as many as five witnesses have been examined by the management MW-1 Triboki Ram who was Asstt. Manager, Accounts at Regional Office, FCI Patna has stated that Ext. M-22 was prepared by him and N K. Dutta bearing their signatures. He has also proved a letter issued by D.M. Patna marked Ext. M-36 and Ext. M-22 enough report which is based on enclosure sent by the D B. FCI Patna. However, in cross-examination he has admitted that the copy of the enclosure i.e. the letter of the D M. was not given to the workman and his enquiry report is based on the papers and he did not conduct any enoughy. He did not know whether any chargesheet was issued to the concerned workman. He has clarified that for any misconduct workman is chargesheeted and reply is taken and enough is held prior to giving any punishment. MW-2 A. K. Roy is the then D M. FCI Patna and has stated that Ext. M-16 was issued under his signature and vide Ext. M-18 penalty order against the workman was also issued by him and the D.M. is the competent authority to issue chargesheet against a workman and chargesheets are under minor

penalty. Withholding of increments comes under minor penalty for which no departmental enquiry is necessary to be held. He has also stated that the action taken against the concerned workman was in accordance with the Rules of FCI Staff Regulations by the competent authority.

- 11. In the cross-examination he has stated that prior to withholding increments of the concerned workman no departmental enquiry was held. Two increments to the concerned workman for 2 years with commulative effect was withheld. He has admitted that the service condition of the Staff of FCI is governed by the F.C.I. Staff service regulations and as per provision and Regulation 60 sub-clause 2 there is provision of departmental enquiry prior to withholding of increments. He has further admitted that the concerned workman was reverted directly as AG-III and as per regulation 15 sub-clause 3 direct employees recruited cannot be reverted to lower grade. He has further stated that in F.C.I. there is provision to keep newly recruited workman on probation for one year and probationary report is given 6 monthly and in case of deficiency in the work of the period of probation probationary period can be extended but there is also relaxative clause. He did ont know whether the performance report of the concerned workman was satisfactory or not but the probation period was extended vide Ext. W-18. He did not know that the concerned workman was the District Secretary of the Union at the time, and that there was the allegation against the concerned workman and that being so he has to write against the management. He could not say that the allegations levelled against him was investigated by the F.C.I. management
- 12. Evidence of MW-3, N. K. Dutta, MW-4 P. S. Mishra and MW-5 S. S. Roy is on the same line and MW-3 has stated that Ext. M-22 is under his signature which is based on the finding of Ext. M-36 as its enclosure but he had admitted that he did not issue any notice nor examined the workman before submission of the report and his report was based on Official record. He did not issue any notice or show cause to the workman. He has further admitted that medical advance taken by the workman was adjusted and this fact has come in his report except this he did not know anything about the case. MW-4 has stated that Ext, M-27 bears his signature which is the appointed letter issued to the Class IV who was appointed with effect from 1-8-87 and initially the workman was appointed as Watchman and the terms and condition is mentioned in Ext. M-27. He too has admitted that the workman was directly appointed in Class III grade and it was not a case of promotion and service condition of the employee is governed by FCI Staff Regulation, 1971. In this recruitment special sanction was accorded from Head Office. He could not answer whether any direct recruit can be reverted or not and as admitted that as per Regulation 15 sub-clause (3) there is provision of reversion of staff but the process of the concerned workman has not been gone through so he could not say the details of this case. MW-5 also stated that Ext. M-28 was prepared by him as dealing clerk and the workman was correlated as Wetchman as 3,478. He has workman was appointed as Watchman on 3-4-78. He has also admitted that the appointment of Class IV staff 13 in number including the concrned workman aws processed by him and they were appointed against direct recruitment quota as relaxation ban and age and this was direct appointment promotion but they were simply departmental candidates. He has also stated that after appointment in Class III his employment is taken on probation for a period of one vear and progress report is given six monthly and if the probation is not satisfactory there is also provision of shifting to one place to another and whether such information was given to the workman he did know. He has further admitted that if a staff is directly recruited he can be reverted to lower grade even if he is a departmental candidate. But if he is from outside there is no provision of reversion. He has also stated that under Rule 15 sub-clause (3) in case of direct recruitment, there is provision for discharge if his work is not found satisfactory but there is nothing about reversion of the staff. He too stated that the service condition of the staff is governed by the FCI staff Regulation and there is no other regulation. Of couse there is office order and circulars.

- 13. A number of documents have been filed on behalf of the both the sides. The management has filed copies of different letters, office orders, memos of different dates and reply of the workman probation period extension order dated 3-1-89 and extract of investigation report dated 16-10-89 which are marked Fxt. M-1 to M-22. Similarly the workman have also filed a number of documents which are copies of office order of the year 1978 and various other copies of orders, suspension order, memorandum penalty order Ext W-16 other office order dated 9-8-89, W 21, Circular dated 15-12-80 W 25, Circular dated 8-3-89 W-27, Memorandum dated 8-3-88 W-33 and such documents have been marked as Exhits W-1 to W-33 which are on record. Perused the documents filed on behalf of the parties. On'v a few documents are relevant in this case and rest of no concern with the present case.
- 14. While arguing the case it has been submitted on behalf of the management that the management have passed order dated 16/19-10-88 M-18 withholding two increments for two years of the workman reverting the workman from Ag. III (D) to class IV watchman dated 9-8-89 vide Ext. M-25 on which claim of the workman and the sponsoring union is based and subject matter of this reference. So far other matters it is said that initially he was appointed as Watchman vide Ext. M-28 and was promoted to the post of A. II (D) vide Ext M-27 with effect from 12-8-87 and was out on probation for one year by this very Ext. However, he was assued with a memo for disciplinary action vide Ext. M-4 and he submitted his reply vide Ext. M-5 and different tetters issued to the workman and reply are Ext M-6 to M-15 Another memo was issued vide Ext. M-16 to which en'y was given vide Fxt. M-18 dated 16/19-10-88 for his eversion. It is said that the conduct and the service of the concerned workman was he could not be confirmed as Ag. III (D) and his probation period was extended for 6 mouths and again for 6 mouths and again for conduct and the service highly unsatisfactory and he could not be confirmed as Ag. III (D) and his probation to the conduct and the service of the conduct and the service of the conduct and the service highly unsatisfactory and he could not be conduct and the service highly unsatisfactory and he could not be conduct and the service of the conduct and the service highly unsatisfactory and he could not be conduct and the service highly unsatisfactory and he could not be conduct and the service highly unsatisfactory and he could not be conduct and the service highly unsatisfactory and he could not be confirmed as Ag. III (D) and his probation period was extended for 6 mouths and again for conduct and the service highly unsatisfactory and he could not be confirmed as Ag. III (D) and his probation period was extended for 6 mouths and again for conduct and the service highly unsatisfactory and he could not be confirmed as Ag. III (D) and his probation are conduct and the service highly unsatisfactory and he could not be confirmed as Ag. III (D) and his probation are conduct and the conduct are conduct and the conduct a months vide Ext. M-19 making total period of probation or two years vide Ext. M-20 and his probation was termiated vide Ext. M-25 from Ag. III (D) to Watchman. It is also said that disciplinary proceeding action was withheld vide letter dated 5/8-5-89 which is Ext. M-21 to M-24 the workman accented his guilt dated 23:10-89 vide and the workman accepted his guilt dated 23-10-89 vide M-37 and this document has been marked as M-36. It is also said that disciplinary proceeding was initiated tooles the workman vide Ext. M-21 and he was reverted to the nost of Watchman for unsatisfactory service during probotion and on his own request vide Ext. M-37 the pro-ceeding was dropped and he was allowed to continue on the reverted post.
- before the various authorities and Courts vide Ext M-31 to M-33 and from oral and documentary evidence it is clear that his anduct was highly unsatisfactory during the probationary period as Ag. III (D) and this probation was terminated and this action of the management was quite valid and justified. It is further said that as per 54 and 60 Staff Regulation, 1971 withholding of two increments of pay comes under minor penalty and for imposing minor penalty a show cause is given to the workman and a reply is taken and the D.M. is the disciplinary authority for impusing minor penalty issued chargesheet dated 3-9-88 Ext. M-16 and on receipt of the reply of the workman Ext. M-17 penalty imposing of withholding of two increments whe Ext. M-18 was passed. It is also said that under Rule 15(3) direct recruited employee can be discharged from service but without giving any notice and an employee prome of from lower post to higher post shall be liable to be reverted to the lower post without assigning any reason. It is also said that, the workman was promoted from lower post to Ag. Fr. D- and his probation was extended for two years but his saidon and conduct was found unsatisfactory and the probation was terminated and he was reverted to Class IV as Watchman. It is also said that it is not a case that on complete of two years of probation the staff would be confirmed a tomp of the reply rather a specific order has to be passed therein
- 16. A number of authorities have been referred which are Kedar Nath Balal versus State of Punjab reported in AIR 1972 SC 873. Express Newspapers Pvt versus Presiding Officer, Labour Court reported in 1964 SC, 806 and it is said that in view of the authorities a workman was issued several chargesheets and disciplinary action was initiated

- against him and from this document it is absolutely clear that his probation was quite unsatisfactory and his reversion to the post of Watchman after termination of probation was quite justified. It is also said that thereafter the workman filed Title Suit No. 71/89 before the learned Munsiff III Patna and also the Writ Petition No. CWJC 11735/92 before the Hon'ble High Court, Patna and both were dismissed and these orders have been filed vide Ext. M-31 and M-32.
- 17. It is further said that if the conduct of the workman would be found satisfactory in future he may again be considered for his promotion to Ag. Grade III (D) in case of any existing vacancy. It is also said that the action taken against concerned workman was only with a view to reform him for getting suitable service to the management with honesty and integrity. It was finally said that the action of the management in imposing both the penalties of withholding two increments for two years and reverting to the post of Watchman is quite valid and justified and the Award be passed accordingly
- 18. On the other hand it has been submitted on behalf of the workman that two penalties have been given to the concerned workman namely (1) withholding of two increments with cummulative effect without holding departmental enquiry and (2) reverting the concerned workman from Ag. III (D) to the post of Watchman. In connection about the first point of withholding of two increments it was submitted that the concerned workman was Ag-III (D) posted at D.M. Office FCI Bhagalpur and as per regulation 60 sub-clause (2) of the FCI Staff Regulation 1971 withholding of two increments of withholding of any increment with cummulative effect cannot be imposed without holding enquiry as provided under regulation 58 of the said regulation and it is admitted case that no such enquiry was held at all before giving this penalty to the workman. It is also said that Ext W-14 was a memo through which Ext. W-16 is the order by which such penalty was made to the concerned workman by MW-2 who was the then D.M., Bhagalpur and under whose signature both these Exts. were issued and copies of these Exts which are Ext. M-16 and M-18. It is also said that MW-2 has admitted in clear terms in his cross examination that prior to withholding of the increments no departmental enuniry was held against the concerned workman and the service conditions of FCI is enided by the ECT Staff Regulation and under the provision of Regulation 60(2) there is provision for denortmental enquiry prior to withholding of increments with cumraulative effect. It is further pointed out that in view of this admission of MW-2, the Officer concerned it is clear that by Ext. M-18 or W-16 order for imposing the aforesaid penalty was quite illegal and it was violative of Regulation 60 sub-clause (2) and which is also in accordance with the Regulation 58 sub-clause (3) Ext W-23 the manner of imposition of such penalty. As such it is submitted that this action of the management was quite illegal, unjustified and arbitrary and the workman is entitled for releasing the said two increments from the date in which it withheld.
- 19. It is further submitted that the concerned workman was appointed to the post of Asstt. Grade-III (D) against direct recruitment quota vide Ext. W-4 which is offer of appointment and Ext. W-5 which is an order issued by the management after his appointment and resumption of duty on the post. It is also said that the workman was appointed to the post of Ag. III (D) and not promoted to that post he should not have been reverted to the subordinate to that i.e. the Watchman as done by the management. In this connection MW-2 admitted in his crossexamination that "He knew the fact that the concerned workman was directly recruited against vacancy departmentally and as per Regulation (15) direct recruit cannot be reverted to the lower grade."
- 20. This fact has also been admitted by MW-4 and MW-5 who too have categorically stated that the concerned workman was appointed directly in Class III grade against direct recruitment quota as a special drive relaxing ban and age and this was direct appointment and not promotion. It is also pointed out that the concerned workman WW-1 also stated that he was appointed in Grade-III (D) on which he has worked for two and half years which fact was not cross-examined and controverted by the management. It is said that in view of Ext. W-4 and W-6 if any workman

like the concerned workman is directly recruited to the post of Ag. III (D) cannot be reverted to the post of Watchman violating the provision of FCI Staff Regulation, 1971 Regulation 15 sub-clause (1)(II). It is also pointed out that an employee promoted to higher post may be reverted to the lower post but in the case of the concerned workman there is no promotion as admitted by three MWs examined on behalf of the management itself and therefore reversion order issued vide Ext. W-21 is quite illegal and unjustified.

21. I find that a number of documents have been filed by the parties which have been discussed and in this connection Ext. W 26, W-27 are important for the case of the workman where there is provision that a workman appointed directly to the post is put on probation for one year and that probation period can be extended for more years but on expiry of two years if he is allowed to continue in the same post he stands automatically confirmed to the post as per Regulation 15, sub-clause (4) of the said staff Regulation, 1971. It is also submitted that in view of provision as per Ext. W-27 if during the probationary period any short-coming is noted in the work of the workman that will be communicated to him within one month from the date of receipt of half yearly probation report and there is also provision of shifting workman under any other officer but no such shifting was done nor any intimation was give to the cocerned workman and arbitrarily the probation period was extended upto two years although the concerned workman worked till two and half years but vide Ext. W-21 his probation was terminated and he was reverted to the post of Watchman illegally for which there was no jurisdiction and nor there was any such provision in the said FCI Staff Regulation. 1971 by which the workman under the FCI management are governed.

22. In this view of the matter it is submitted that the concerned workman worked for more than two and balf years therefore he cannot be reverted nor he was promoted to the post of Ag. III (D) and such action of the management in reverting the concerned workman from the said post of Ag. III (D) to the post of Watchman was illegal and unjustified and similarly withholding of two increments of the workman with cummulative effect was also violative to the Regulation 69 sub-clause (2) of the said Staff Regulation and this action of the management was also unjustified and illegal FCI Staff Regulation has been produced by the workman (its copy) which is Ext. W-27. It is therefore submitted that the workman is entitled for restoration of the post of Ag. III (D) from the date of his reversion 9-8-89 and he is also entitled for restoration of two withheld increments with effect from 16-8-88 on which date such order was passed by the management.

23. Perused both oral and documentary evidence as adduced and the points of argument as advanced by the parties and I find much force in the please taken by the workman and the sponsoring union that action of the management in imposing penalty of withholdig two increments with cummulative effect against the workman and reverting him from Ag. III (D) to the post of Watchman cannot be justified in any way and there are contrary to the provision of FCI Staff Regulation, 1971 by which all the workmen under the management of the FCI are governed. W-2 examined on behalf of the management itself have admitted that the workman was directly recruited to the post of Ag. III (D) departmentally but it was not a case of promotion and as such there was not to the lower post in view of the Regulation 15(i) and (iii) of the said Staff Regulation, 1971. Similarly it was admitted case not other than MW-2 himself who is the authority of passing such order in view of the provision 60 sub-clause (2) in tune of Regulation 58 sub-clause (3) to (23) any imposition of penalty of withholding of two increments with commulative effect cannot be pased without holding any departmental enouiry and in the instant case no such enouiry was ever he'd against the concerned workman nor any chance was given to him, to represet his case in such domestic enquiry

24. In the result, the action of the management of Food Corporation of India, Patna withholding of two incre-

ments commulatively and reverting him to the post of Watchman is not justified and the workman is entitled for restoration to the post of Ag. III (D) with effect from 9-8-89 and also restoration of two withholding increments with commulative effect with effect from 16-8-88 with all difference of full back wages from the aforesaid date. Accordingly both the points are decided in favour of the workman and hence the following Award is rendered.

"The action of the management of Food Corporation of India, Patna, withholding of two increments and reverting Shri Ram Ishwar Ram to the post of Watchman is not justified, and legal. Consequently, the concerned workman is entitled for restoration to the post of Ag. III (D) with effect from 9-8-89 and also restoration of two withholding increments with commulative effect 16-8-88 with a'l d'ifference of full back wages from the aforesaid date."

25 The management is directed to implement the Award as per the direction given above within two months from the date of publication in the Gazette of India.

26. However, there will be no order as to costs.

T. PRASAD, Presiding Officer

नई दिल्ली, 5 सितम्बर, 1997

का. था. 2514 — श्रौद्योगिक विवाद श्रिष्ठितियम, 1947 (1947 का 14) की घारा 17 के अनुसरण में, केन्द्रीय सरकार मैसर्स ई. सी. एन. के प्रबाधतंत्र के संबद्ध नियोजकों श्रौर उनके कर्म कारों के बीज, अनुबंध में निर्दिष्ट श्रौद्योगिक विवाद में, केन्द्रीय सरकार श्रौद्योगिक श्रिष्ठकरण, श्रासासील के पंचपट को प्रजाशित करती है, जो जन्द्रीय सरकार को 3-9-97 को श्रात हुया था।

New Delhi, the 5th September, 1997

S.O. 2514.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Asansol as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M|s. E.C. Ltd., and their workman, which was received by the Central Government on the 3-9-97.

[No. L-22012|508|94-IR(C-II)] S. RAVISH ALI, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL ASANSOL

Reference No. 9 of 1995

PRESENT:

Shri R. S. Mishra, Presiding Officer.

PARTIES:

Employers in relation to the management of Kandra Colliery of M/s. E.C. Ltd.

AND Their Workmen

APPEARANCES:

For the Employer.—Sri P. Banerjee, Advocate. For the Workmen—None.

INDUSTRY: Coal. STATE: West Bengal.

Dated the 26th August, 1997

AWARD

The Government of India in the Ministry of Labour in exercise of the powers conferred on them by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 has referred the following dispute to this Tribunal for adjudication vide Ministry's Order No. L-22012 (508) 94-IR(C.II) dated 16-2-95.

"Whether the action of the management of Kendra Colliery Pandaveshwar Area of M|s. Eastern Coalfields Ltd. PO: Bahual Dist. Burdwan (WB) in d.smissing Shri Bijon Roy, Ambulance Driver w.e.f. 23-3-92 is justified? If not, to what relief is the coace ned workman entitled to?"

- 2. The management's advocate files a settlement duly signed by respective representatives of the parties.
- 3. Award in terms of settlement is passed and the settlement to form a part of the award.

R. S. MISHRA, Presiding Officer

FORM 'H'

Memorandum of settlement between the Management of Pandaveswar Area of M/s. E.C.L. and Representative of Khan Shramik Congress (BMS). Management

Representative:

- Sri Hareram Singh, Personnel Manager Fandaveswar Area.
- 2. Sri C. R. Tapadar, Personnel Manager Pandaveswar Colliery.

Union Representative! Workman

1. Sri Harenom Singh, General Secretary, K.S.C. (BMS)

2. Md. Sarif, Secretary, K.S.C. (BMS) Pandaveswar Area.

SHORT RECITAL OF THE CASE

One Sri Bijon Roy, Ambulance Driver of Kendra Colliery, Pandaveswar Area was dismissed from his services for the misconduct of unauthorised absence vide Dismissal Order No. 06SF114031 dated 16-3-92. The concerned workman through the aforesaid Union represented the case before ECI. HQ. The Competent Authority has been pleased to reinstate Sri Roy

vide letter No. ECL|CMD|C-6D|IL|95|DA|SPL|3926 dt. 19-12-95 of General Manager (IR) HQ. on the following terms and conditions:—

- Sri Roy will be reinstated as Cleaner in T|R. Cat. II and will be posted at Kenda Area.
- Sri Roy will not be entitled for any wages for the period from his dismissal to the date resumption of duty on reinstatement.
- That Sri Roy neither individually nor through any union nor any other Agency will raise any claim/dispute regarding his pay and back wages.
- Through his period of idleness will be without any back wages the period will be taken into the account for continuity of service for the purpose of gratuity only.
- His basic pay on the reinstatement will be fixed by the Associate Finance, Kenda Area.
- 1. (S. S. Ghosh)
 Personnel Manager.
- (C. R. Tapadar)
 Personnel Manager
 Pandaveswar Colliery
- 1. (Harcram Singh)
 General Secretary
 K.S.C. (BMS)

2. (Md. Sarif) Secretary K.S.C. (B.M.S.)

ACCEPTED:

(Bijon Roy)
Ambulance Driver
Kendra Colliery

REF: NO. 06SF

Dated: 1-1-1996

Copy to:

- 1. General Manager (IR), ECL|Sanctoria
- 2. Dy. Chief Personnel Manager (L&IRO, ECL, Sanctoria.
- 3. General Manager, Kenda Area.
- 4. Personnel Manager (I|C), Kenda Area.
- 5. Finance Manager, Kenda Area.

General Secretary.
 K.S.C. (B.M.S.).

नई बिल्ली, 4 सितम्बर, 1997

का०भा०, 2515-भीशोगिक विवाद प्रधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार विशखापटनम पोर्ट ट्रस्ट के प्रबंधतंत्र के संबंध नियोजिकों भीर उनके कर्मकारों के बीच, अनुबंध में निर्दिष् भौशोगिक विवाद में भौशोगिक प्रधिकरण, विशखापटनम के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-9-97 को प्राप्त हुआ था।

[सं एल-34012/1/95-आई०धार० (विविध)] बी० एम० डीवड, डैस्क अधिकारी New Delhi, the 4th September, 1997

S. O. 2515.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Visakhapatnam as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Visakhapatnam Port Trust and their workman, which was received by the Central Government on the 4-9-97.

[No. L-34012]1|95-1R(Misc.)] B. M. DAVID, Desk Officer

ANNEXURE

IN THE COURT OF INDUSTRIAL TRIBUNAL CUM-LABOUR COURT VISAKHAPATNAM

PRESENT:

Smt. G. Jaishree, B.Sc., LL.M., Chairman & Presiding Officer.

Thursday, the 17th day of July, 1997

I.T. I.D. No. 17|95 (Central)

BETWEEN

AND

This dispute coming on for final hearing before me in the presence of the workman in person and the management in person, upon hearing the arguments of both side and on perusing the entire material on record, the court passed the following:

AWARD

(1) In this case, reference is made by the Central Government under sec. 10(1)(d) of I. D. Act, for adjudication of the dispute between the management of Visakhapatnam Port Trust and its workmen in the following terms:

"Whether the action of the management of Visakhapatnam Port Trust in repromoting Sri G. Raju as electrician Gr-III from the reverted post of Khalasi from 6-12-94 but by counting his seniority afresh from the said date i.e. 6-12-94 for misuse of house building advance is justified? If not, to what relief the workman concerned is entitled to?"

(2) In the claim statement filed by the petitioner it is stated that the petitioner is a trade unfair having been registered under the provisions of Trade Union Act and the workman in this case is a member of the petitioner union and therefore the dispute has been espoused by the petitioner union on behalf of the workman. It is stated that while working as Electrician Gr. III in One Handling Complex of Mechanical Department of Visakhapatnam Port Trust.

he was charged with the misconduct of misusing the house building advance as per the regulation 5(1) of Vistknapainam Port Employees' (conduct) Kegulations, 1904. The petitioner submitted explanation stating that he purchased a site previously by taking loan and he used the advance taken by him for repaying the said loans and some part of the money he utilised for the marriage of his daughter as he had no other source of meome and he sought permission to construct a small house in the circumstances. He stated that he could not spend tha first instalment of the advance for construction of his house and requested for a lenient view. But the management issued show cause notice proposing the penalty of reduction for the post of Khaasi with cumulative effect and on nece ving his representation to the show cause notice the disciplinary authority, without considering the situation explained by the petitioner, imposed heavy penalty of reduction to the post of Khalasi (shore). The appeal preferred by the petitioner to the Chairman is also rejected. The petitioner pleasis that 12 employees mentioned in the claim petition were imposed a penalty of mere censure by the disciplinary authority and the petitioner cannot be descriminated in imposing the punishment for the same mistake done by the employees in the same department. It is stated that because of the punishment of revernsion, he was deprized of his promotion to the higher post of Electrician Gr-II and his juniors were promoted in the cadre. He was restored the post of Electrician Gr-III w.e.f. 6-12-94 but declared Junior in the seniority list and the same is illegal. It is pleaded that this amounted to inflicting triple punishment for a minor mistake of misuse of 1st instalment of house Building Advance i.e. (1) Reduction to lower post (2) deprival of promotion to the higher post due to imposition of punishment and (3) the workman was declared junior after restoration to his former post of Electrician Gr. III. Thus, it is pleaded that the penalty imposed is disproportionate to the charge levelled and further that article 14 of the constitution is violated for imposing different punishments for the same misconduct and also article 20(2) i.e. Guarantee against 'Double Journaldy' has been violated in imposing the triple nunishment. Thus, it is praved that it may be declared that the original soniority in the cadre of Flectrician Gr. III crior to imposition of said negative should be protected by the respondent management.

(3) In the counter statement filed by the respondent management it is pleaded that the petitioner was sanctioned Rs. 1,25,000 towards house building advance and was paid an amount of Rs. 62,500 towards first instalment of house building advance on 9-10-91 so as to enable him to complete the construction of the house upto roof level. But the petitioner did not start any construction though the received the first instalment and instead utilised the same for some other purpose and thus, he was charged with the misconduct of misusing the house building advance and accordingly charge sheet was issued and the punishment of reduction of lower rank was imposed. It is pleaded that all the employees whose cases of misuse of house building advance were dealt with prior to 17.94, were imposed with the similar penalty of reduction to the next lower post by the

disciplinary authority. When those employees submitted representations, they were considered and tepromoted to their respective posts after 1-7-94. Accordingly Shirt?. Samula and the petitione: he can also repromoted to their respective posts w.e.f. 23-7-94 and 6-12-94 respectively along with the other employees. All the employees who were so repremoted have fore-gone their original seniority in the higher post in terms of F.R. 29 and their seniority on repromotion was dots, maid by the date of reprondstion. In terms of the Government of India instructions under F.R. 29. It was clearly mentioned that in case of employees who were reduced to the lower post on discipunary grounds and repromoted to the post after some time, the semonity of such a Government servant on repromotion should be determined by the date of repromotion. It is pleaded that there is no descrimination shown by the disciplinary authority as the same principle was followed in respect of all other similarly placed employees. It is stated that the misconduct is serious one myolving integraty of the employees concerned. Regarding the plea of imposition of minor penalty of castile in other similar cases of misconduct, it is stated that the cases of those employees were examined after considering various representations from number of people after 1-7-94 and they were imposed with the penalty of censure and therefore no comperision can be made in respect of other cases of the facts and circumstances of the each case depend on the evidence adduced the departmental enquiry. Regarding the 'Double Jeopardy', it is stated that deprival of promotion and losing seniority and the recultant effects occured on account of imposing the penalty of reduction to the lower post on the employee which, according to the management is a single penalty and as such it is incorrect to allege that triple punishment was imposed on employee. Thus, it is pleaded that the penalty imposed on the petitioner was compensurate with the gravity of the misconduct committed by him and all the employees whose case of misuse of house building advance were dealt with prior to 1-7-94 were imposed with similar penalty of reduction to the lower post without any discrimination. Thus, it is pleaded that the petitioner is not entitled to any relief. It is stated in the end that the petitioner got appointment as Khalasi w.e.f. 11-7-75, promoted as Electrician Gr-III w.e.f. 1-1-81 and reduced to the post of Khalasi (shere) w.e.f. 7-10-93 on disciplinary grounds and later promoted as Electrician Gr. III w.e.f. 6-12-94. It is pleaded that in view of the clear rule position under FR. 29 and the Government instructions issued thereon, the claim of the petitioner has no basis.

- (5) During the course of enquiry, no witnesses are examined on either side and no documents are also marked. Both sides filed written arguments. Perused the written arguments filed by both sides and the entire material on record.
 - (6) The points that arise for consideration are:
 - (1) Whether the action of the management in reprometing the workman as Electrician Gr III from the reverted post of Khalasi from 6-12-1994 and counting his seniority

- a fresh from the said date, for misuse of house building advance is justified?
- (2) To what relief is the workman entitled?
- (7) Point No. 1: The admitted facts of the case are that the workman was working as Electrician Grade-III in Ore Handling Complex of Mechanical Department and while so working he was charge sheeted for misusing the first instalment of house building advance amounting to Rs. 62,500/- out of the total building advance to Rs. 1,25,000/-, sanctioned to him by the respondent management for construction of a building at Kasimkota as per the approved plan and estimate submitted by him. After conducting domestic enquiry, the charge was held proved and the management imposed penalty or reduction to the lower post of Khalasi (Shore). His appeal preferred to the Chairman was also rejected. As per the statement made in the counter by the management in the written statement on a representation made by all the employees who were imposed his penalty for the said misconduct prior to 1-7-1994. They were repremeted to the respective posts after 1-7-1994 and the workman here in w.c.f. 6-12-1994 and as per the fundamental rule 29 and the Government of India instructions there under, his seniority in the post of Electrician Gr. III was fixed with effect from the date of re-promotion i.e. 6-12-1994. The workman challenges this action of the management on the ground firstly that minor penalty of censure was awarded by the same disciplinary authority i.e. the Chief Mechanical Engineer, Visakhapatnam Port Trust for similar misconduct of misuse of House Building Advance in respect of 12 persons mentioned in the petition. But the petitioner was descriminated by imposing major penalty of reduction to a lower rank. Answering this allegation, it is mentioned in the written statement filed by the management that there is no such descrimination in as much as all the employees on whose penalty was imposed for the similar misconduct before 1-7-1994, the same penalty of reduction to lower rank was imposed and in respect of the employees, who committed the similar misconduct of misusing the house building advance and who were imposed penalty after 1-7-1994, were imposed the penalty of more consure. It is pleaded that till the end of June, 1994, the cases of misuse of house building advance were dealt with severly and major penalty of reduction to next immediate lower post was imposed. But on appeal the appellate authority allowed their appeals taking a lenient view and reduced the major penalty to that of minor penalty in number of cases It is stated that there were also several representations from various people to the disciplinary authority to take a lenient view and consider imposition of miner penalty in the cases of misuse of house building advance and therefore it was decided to issue charge sheet under minor penalty from July, 1994 onwards in such cases and impose the minor penalty of cencure. It is further stated that accordingly, in the case of misuse of house building advance dealt with after 1-7-1994, minor charge sheets were issued and penalty of consure was imposed These averments in the written statement show that in number of other cases in which

the penalty for the said misconduct was imposed before the end of June, 1994 also the appellate authority reduced the punishment and imposed only a minor penaity and in view of the representations, the management has taken a policy decision to impose a minor penalty of censure only in all the cases of misconduct of such type from 1-7-1994 onwards. Thus, the management tries to distinguish between the cases in which the penalty was imposed before 1-7-1994 and the cases in which the penalty was imposed after 1-7-1994 for the similar misconduct or misusing the house building advance. The management filed Annexure-A to the counter statement snowing the details of the penalty imposed regarding the 12 employees mentioned in the claim statement by the petitioner and plead that there is no descrimination in the case of the workman herein appear the details mentioned in annexure-A regarding these 12 employees which shows that in case of all the employees where penalty was imposed before 1-7-94, the same penalty of reduction to lower grade was imposed and in respect of the other employees where penalty was imposed after 1-7-94 for the similar miscounduct, a uniform mnior penalty was imposed i.e. censure in persuance of the policy decision taken by the management. The management cities the example of one Ramana and P. Somulu who were imposed penalty for the similar misconduct before 1-7-94 and whose cases are cited at serial Nos. 1 and 5 of the annexure. This annexure shows that in the case of one Somulu, the penalty was imposed on 28-5-94 i.e. prior to 1-7-94 and the penalty is reduction to the next lower post but in the case of V. Ramana at Sl. No. 1, penalty was imposed 25-3-94 i.e. prior to 1-7-94 but it is stated in the coloum of remarks that the appellate authority took a lenient view and reduced the penalty imposed by the disciplinary Authority to that of censure vide proceedings dated 26-3-94. In all other cases shown in the annexure the minor penalty of censure is shown to have been imposed uniformly for the similar misconduct after 1-7-94. But the case of V. Ramana where the appellate authority reduced the punishment to reduction to lower post to that of censure even before 1-7-94 vide his proceedings dated 26-3-94, shows that the case of the petitioner is similar to that of V. Ramana but the appellate authority did not allow his appeal and modify the punishment but rejected his appeal vide his proceedings dated 24-1-94 as stated at para 4 of the written statement filed by the management. It is seen that the appeal of the workman here'n is disposed of only two months prior to the appeal of V. Ramana and there is no reason why the workman herein was not treated in the same manner as Mr. V. Ramana by reducing the punishment to that of censure. It is stated at page 5 of the written statement further that when the employees on whom the penalty of reduction to the lower post was imposed before the end of June, 1994, appeal, the appellate authoroty allowed their appeals taking a lenient view and reduced the major penalty imposed by the disciplinary authority to that of minor nenalty in number of cases. Obviously, the case of V. Ramana also is one of them. But management foiled to treat the workman in a similar manner by reducing his punishment also to that of censure, atleast on the appeal filed by him. It is

pleaded in para 8 of the written statement that no comparison could be made in respect of other cases with that of the case of the workman herein as the facts and circumstances of each case would depend on the evidence adduced during departmental enquiry and hence it cannot be said that there is descrimination in that regard. But the management has not pleaded any facts and circumstances which distinguish the case of the petitioner with the cases of other employees committing similar misconduct and who were imposed the penalty prior to 1-7-94 specially the case of Mr. V. Ramana, On the other hand, the plea that in view of the representations, the management has taken a decision to impose the minor penalty of censure only in cases of misconduct of misusing house building advance, shows that management is not justified in recruting him to the and another in the case of similar misconduct but it is following the principles of imposing uniform penalty in the case of similar misconducts. It is true that the management has got absolute power to impose proper and proportionate penalty in each case having gard to the relevant facts and circumstances of a case such as gravity of misconduct, discipline among the workers, the interest of the Institution etc. and this court cannot interfere with the same if it is not tainted with victimisation, unfair labour practice or shockingly unconscient and so disproportionate that no reasonable person would impose such a penalty for such a misconduct. But at the same time, the management is expected to act in such a manuer as not to descriminate between employee and employee in imposing such punishments. Otherwise, it leads to unfair descrimination between employee leading to industrial unrest and violation of the constitutional guarantee of equal treatment and equality before law. In all these circumstances. I find the management is not justified in imposing and confirming the punishment of reduction to the next lower post on workman while reducing the same to that of censure in respect of the others similarly situated. Thus, I hold that the management is not justified in reducing the workman to the pest lower post and then repromoting him w.e.f. 6-12-94 giving him seniority in original post only from 6-12-94. It was just and proper for the management while reconsidering the case of the petitioner along with other similarly situated. employees, to impose a minor penalty of censure only like the other similar cases, the consequence of which would be restoring the workman herein to his original position as if he was never reduced to the rank of pext lower post. Therefore, the petitioner is entitled to his seniority in the nost of Electrician Grade-III as if the nunishment of reduction to lower post was never offected w.e.f. 6-10-93 and therefore he is entitled for the restoration of his seniority as before and the netitioner could have been promoted only wielf 6-12 94 fixing his seniority in the original post w.e.f. 6-12-94. The order of re-promotion is not filed by the management but his repromotion w.e.f. 6-10-93 fixing his seniority also with effect from the same date. amount to imposing the nunishment of reducing seniority of the workman in the cadre of Electrician Grade-III and the same cannot be done by the management unless it is intended to impose such a punishment and contrary to the other punishment of

censure imposed in the case of similar misconducts. In an inese encumstances, I come to the conclusion that the action of the management of Visaknapatham Post Trust in repromoting the workman netern as electrician Grade-11. Irom the reverted post of khalasi W.e.f. 6-12-94 and counting his semontly alresh from the said date, for the misconduct of misuse of house building advance, is not justified. I hold on this point accordingly.

(8) Point No. 2: While discussing the point No. 1 above, I held that the Workman was descriptionated while other employees similarly situated and management is not justified in reducing him to the heat rower post and mon repromoting min only w.e.t. 6-12-94 fixing his semonity w.c.f. that date, Cousequentry, the workman is entitled for the restoration or his seniority w.e.f. 0-10-93 when the pullishment of reduction to the post of Khalasi was imposed on him. As the penalty of reduction to the post Knaias, is neig to be descriminatory, the same is habie to be set as ae and accordingly, the same is set aside and consequently the workman is enutied for fixation of his seniority in the grade of Electrician Grade-III as per the original place of his semonty in the said grade and incontinuation, without any break, as if he was never reduced to the post of Khaiasi. The management strenuously contended that as per F.R. 29 and the government instructions issued thereon the seniority of the workman herein is to be fixed only w.e.f. 6-12-94 .But the said fundamental rule 29 does not apply to the facts of this case in as much as the workman was not promoted in the usual course to his original post after reduction, but he was repromoted to the original post only on his representation and with a view to restore him to the original position by setting aside the punishment of reduction to the next lower post. When the management thought of repromoting him on his representation, obviously the same is w.e.f. 6-10-93 when the punishment of reduction to the next post was imposed and not from any subsequent date arbitrarily fixed. Thus, viewed from any angle there is no reason for the management restoring the seniority of the workman herein in the cadre of Electrician Grade-III only from 6-12-94 in stead of 6-10-93. Thus, as this action of the management is found to be not justified as per my finding on point No. 1 above, I hold that the workman is entitled for restoration of his seniority in the Grade of Electrician Grade-III w.e.f. 6-10-93.

(10) In the result, award is passed answering the reference as follows: "The action of the management of Visakhapatnam Port Trust in re-promoting Sri G. Raju as Electrician Grade-III from the reverted post Khalasi from 6-12-94 but by counting his seniority afresh from the said date i.e. 6-12-94 for misuse of house building advance is not justified and the said workman is entled for restoration of his scuiority as Electrician Grade-III from 6-10-93."

Dictated to steno tarnscribed by her given under my hand and seal of the court this the 17th day of July, 1997.

G. JAISHREE, Chairman & Presiding Officer

APPENDIX OF EVIDENCE IN I.T. No. 17|95(C) WITNESS EXAMINED

FOR WORKMAN: None.

FOR MANAGEMENT: None.

DOCUMENTS MARKED

FOR WORKMAN: Nil.

FOR MANAGEMENT: Nil.

नई दिल्ली, 4 सितम्बर, 1997

का०ग्रा०--2516-श्रौद्योगिक विवाद ग्रधिनियम, 1947 (1947 का 14) की धारा 17 के ग्रनुसरण में केन्द्रीय सरकार नेशनल श्रल्मुनियम कम्पनी लि०, के प्रबंधतंत्र के संबंद्ध नियोजंकों प्रौर उनके कर्मकारों के बीच, श्रनुबंध में निविद्ध प्रौद्योगिक विवाद में श्रौद्योगिक ग्रधिकरण, भुवनेष्वर के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 4-9-97 की प्रान्त हुआ। था।

[सं० एल-29011/6/92-म्राई मार (विविध)] बी० एम. डेबिड, डैस्क मधिकारी

New Delbi, the 4th September, 1997

S.O. 2516.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Bhubancswar as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M/s. National Aluminium Company Ltd., and their workman, which was received by the Central Government on 4-9-97.

[No. L-29011/6/92-IR(Misc.)] B. M. DAVID, Desk Officer

ANNEXURE

INDUSTRIAL TRIBUNAL, ORISSA, BHUBANESWAR PRESENT:

Sri M. R. Behera, O.S.J.S. (Sr. Branch), Presiding Officer, Industrial Tribunal, Otissa, Bhubaneswar.

Industrial Dispute case No. 32 of 1993 (Central) Dated, Bhubaneswar, the 18th August, 1997

BETWEEN:

The management of M/s. National Aluminium Company Ltd., IDCO Tower, Bhubaneswar.

First Party-management.

AND

Their workmen represented through NALCO Mines Employees' Union. At/P.O. Damanjodi, Dist, Koraput.

Second Party-workmen.

APPEARANCES:

Sri D. B. Bhanja.—For the First Party-management, Chief Manager (HRD).

Sri R. N. Parida,—For the Second Party-Workmen. General Secretary of the Union.

AWARD

The Government of India in the Ministry of Labour, in exercise of powers conferred upon them by clause (d) of sub-section (1) and sub-section (2-A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947) have referred the following dispute for adjudication vide their Order No. L-29011/6 '92-IR(Misc.) dated 14th June, 1993:

"Whether the action of the management of NALCO Lt., Damanjodi, Orissa is justified in not granting _____

Mining allowance to the employees employed in Mine?, when neighbouring concern is paying such allowance? I_{λ} not, to what relief the workmen are entitled to and from what date?"

3. The second party-union filed the claim statement on the avernment that:

National Aluminum Co. Ltd., for short NALCO at Damanical escavates Bauxite ores by drilling, blasting, dozing, champing, clushing and conveying from the mine at Damanic li for giving a final shape to produce alumina. The Bauxite ore into operation in May, 1983.

NALCO at Damanjodi/Panchapatmali has several branches and departments namely, (a) Mine (b) Mechanical section for renair and maintenance of mine equipments & (c) ctusher; and conveyor for crushing and conveying the Bruxite free from mine area to Alumina Plant etc.

The Rauxite mine is situated at a hill top of 1330 Mtrs. from the sec level and is situated at a distance of 22 kms. from N.F.I.CO township. About 400 employees are working in the mine. Their job is risky and hazardous.

The employees and workmen of similar mines functioning at Amar antak and Bhatkapahad mine of Bharat Aluminium Co. Ltd. he getting mining allowance on slab base rates ranging from Rs. 58/- to Rs. 108/- per month. Indian Rare Earths, Ltd., Chhatrapur is also providing mining allowance to its employees. Therefore, the workmen and employees of the mine unit of NALCO at Damaniodi are chitited to get mining allowance from the date of their jonling.

3. The first party-management has filed its written statement on the averment that:

The wage, allowances and perquisites in respect of regular workmen employed in NALCO including the open-cast bauxite mines at Panchapimali are governed by long term wage settlements arrived between the parties through conciliation proceeding. The settlement datd 7-8-89 was in voque by the time of filing of the written statement though prior to it the settlement dated 14-10-84 also originated between the management and its workmen.

NALCO Mines Employees' Union came into origin by its registration on 6-6-90 but is also bound by the long term wage settlement entered into on 14-10-84 and 7-8-89.

Initially, the claim of mining allowance was raised by NALCO Employees' Union and Mine & Refinery Employees' Union, but by clause-7 of the settlement dated 7-8-89 it was also agreed that all other demands (inclusive of the demand for payment of mining allowance) raised by 'the union have been held to be not pressed; the grant of mining allowance not having found mentioned as one of the settlements in the settlement is deemed to have been withdrawn. The present disputant union further could not have raised the dispute for payment of mining allowance. The parties have settled that the employees are to be naid bad climate allowance in that composite settlement of 1989.

The Bauxite Mines of NALCO at Panchapatmali is fully mechanised open-cast mine with safe working condition. All the employees of the mine have been provided with houses in the township at Damaniodi. The employees are provided with free transport facilities from the township to the mine area and to come back after completion of the day's work though the employees have also been provided with conveyance allowance for maintaining personal two wheelers. The High Power Committee appointed by the Goyt, of India recommended payment of mining allowance for the persons working in the underground mining merations, but did not recommend mining allowance for the employees of open-cast mines. The employees of other open-cast mines operating in the State of Orissa have not been provided with mining allowance, therefore, nayment of mining allowance on industry-cum-region formula is not applicable.

The working conditions of Amarkantak & Phutkapahad mines are different Escavation of Bauxite ores in these Amarkantak & Phutkanahad mines are not correcting in a mechanised vary Besides. Amarkantak & Phutkapahad mines ore situated in inferior places away from the civic amenities. Therefore, the claim of the second party-union for mining allowance is not maintainable.

4, On these rival claims the following issues have been fremed:

ISSUES

- (1) If the action of the management of NALCO Ltd., Damanjodi, Orissa is justified in not granting Mining Allowance to the employees employed in Mines, when neighbouring concern is paying such allowance?
- (2) If not, to what relief the workmen are entitled to and from what date?
- 5. Parties admitted that the mine involved in this dispute is an open-cast mines.

NALCO Mines Employees' Union came into being on 6-6-90, presumably the workmen belonging to NALCO Mines Employees' Union were the members of either Mines & Refinery Employees Union or NALCO Employees Union before it origin. The saying of W.W. No. 1 that he cannot say with definiteness whether previously there was any demand for mining allowance or bad climate allowance is not acceptable in view of Exts. F&G. On perusal of Exts. F&G, the demand of mining allowance advanced by these two unions has not been accepted by the management, therefore, there is no mention of such claim while settling the claims in Ext. D, a composite settlement dated 7-8-89.

After the lapse of the force of Ext. D on 31-12-91 originated the composite tripartite settlement dated 14-12-95, Fxt. K. As it transpires from Sl. No. X 2.2 and 2.3 of the terms of settlement of Ext. K, the settlement considered all the demands put forward by the member unions inclusive of the NALCO Minos Employees' Union (the present second party-union) and was effective from 1-1-92 to 31-12-96. The word 'settles all demands' is suggestive of the fact that all demands inclusive of the claim of mining allowance put forward by the unions (including the second party-union) had also been considered and settled in the composite settlement. Ext. K, but as regards payment of mining allowance nothing has been breached in Ext. K which goes to show that the claim of mining allowance was dropped at the bargaining table. In this connection, it is pertinent to quote the observation of the Hon'ble Court, reported in Para-16 of 1980 (1) LLI page-239 (Kalinga Jute Products (P) Ltd. Vrs. Presiding Officer, Industrial Tribunal & Others), which reads:—

"xx It is well settled by a long catena of decisions of the Supreme Court and also of other High Courts that no party bound by the settlement can raise an industrial dispute during the currency of the settlement and a reference of such industrial dispute and the consequential award would be illegal and inoperative. All settlements must be allowed to run their full life and during the currency of such a settlement, no dispute on matters settled can be raised or conciliated upon. Amicable settlement of disputes are birding on the Tribunal and award has to be passed in terms of the settlement (see the cases of State of Bihar v. D. N. Ganguli and others, (1958-H LLJ 634), A.I.R. 1958 SC 1018 and Sirsilk Ltd. V. Government of Andhra Pradesh (1963-H I.I.J 647) AIR 1964 SC 160]. Further, it has been laid down by the Supreme Court that bi-partite attlement being an and to industrial districts. settlement being an end to industrial disputes, settlements are preferred to industrial adjudication. Even where an industrial dispute has none before the Tribunal, any settlement arrived at between the parties during the proceedings before the Tribunal and even where award has been passed but not publiched the settlement must be given effect to and award must be passed in conformity with the settlement. Even when an award has been passed and the Government is informed of the settlement, publication of the award must be stonged as the award hecomes infructuous in view of the settlement. If any party challenges the fairness of bona fide of such a settlement he can raise another dispute with regard to that room for industrial adjudication. the case of New Standard Engineering Co Itd. V. N. 1 Abhvankar and another AIR 1978 SC 982, the Supreme Court has repeated that settlements are given a place of preference in industrial law. xx xx."

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On the facts of this case, the representative of the second party-union has not been able to convince this Tribunal at to how the rigours of Sections 18(3) read with Section 19(2) of the Industrial Disputes Act can be avoided to enable this Tribunal to appreciate the merit of the claim advanced by the second party-union, since this dispute agitated by the NALCO Mines Employees' Union (second party-union) has been received for adjudication in this Tribunal only on 16th September, 1993 i.e., during the subsistence of Ext. K. Accordingly, the present dispute is not maintainable.

6. The management has placed reliance on Chapter-12 of the report of the High Power Committee published in 1988 by the Ministry of Industry (Department of Public Enterprises), Government of India, At page-160 in para-12 of this Book under the head 'SPECIFIC PERQUISITES (PROJECT/CONSTRUCTION/FIELD ALLOWANCE)' and sub-head 'DRILLING/UNDERGROUND/MINING ALLOWANCE', the High Power Committee has recommended, "the above allowance (drilling/underground/mining allowance) would not be applicable for working in open-cast mines". The recommendation of the High Power Committee, otherwise an expert Committee's report has the greater impact on the facts of this case since the parties admit that Panchpatmali mining area is an open-cast mines. The second party-union has not been able to place any material to over-ride this recommendation.

7. W.W. No. 1 has said that there exists fuggy atmosphere, and that, for the fuggy atmosphere the long distance visibility suffers. Add to it, the mine is situated at the hill top at a high ultitude, and that, due to operation of earth moving machines and apparatus, besides blasting of the underground for collection of Bauxite ores, the workmen are exposed to dust hazards and are suffering from different ailments, namely. Asthma, Tuberculosis etc. W.W. No. 1 fairly conceded that he has not visited BALCO mines at Amarkantak, therefore, he cannot say the nature and character of hazards encountered by the employees at that work spot. According to W.W. No. 1, they are approaching different places by jeep as well as by foot at Panchapatmali of Damanjodi mines area. The communication to different places by jeep is suggestive of the belt as well vehicle and other heavy machinery depots. On place than the other places like the situation of the conveyor belt as well vehicle and other heavy machinery depots. On appreciation of this evidence one can assume that the working environment at Penchpatmali mining area has undergone diversification instead of confining the working environment in a compact area, giving lessscope for any sort of hazards inclusive of health hazards.

The evidence of W.W. No. 2 is not of different type, but it is gathered from the evidence of W.W. No. 2 that one Dambarudhar Das met with an accident while working in the mines, and that two labourers working under a contractor died in 1993. The mine includes a wide sphere of action. The reason of death of Dambarudhar Das has not at all been linked to any hazards of fuggylchilled/dust-cast environment though W.W. No. 2 has specified that both the labourers of the contractor died while cleaning the cable belt. From the evidence of W.W. No. 2 it has not at all surfaced that due to any hazardous working environment Dambarudhar Das and both the labourers of the contractor succumbed to injuries.

The second party-union has examined the Dy. Manager (personnel), BALCO, Korba as W.W. No. 3. M.W. Noa. 1 and 3, so also W.W. No. 3 have said that Amarkantak mine is situated in the midest of forest and about 100 Kms. away from human habitation, and that the BALCO mines operation is carried out manually whereas the mine of NALCO at Damaniodi is being operated in a fully mechanised way. So is the evidence of M.W. No. 2. W.W. No. 3 has said in clear tone that the mine at Amarkantak has not been provided with civic amenities there exists temporary structures for residential accommodation of the workmen working at the mines. Add to it, the facilities of market complex, provision for school for the workmen have not been provided. Therefore, mining allowance is being paid to the employees of Amarkantak mines for the non-existence of the bare minimum maganesities of civil life. In the words of WW No. 3 mining allowance is paid only to those workers who work in the mines at Amarkantak. Once those workers are shifted to Korba, the allowance will not be paid to them. Ext. B is consistent to the testimony of W.W. No. 3, see also, item

No. 7.0 of the terms of settlement in Ext. 4 is also consistent to the testimony of W.W. No. 3 as well as M.W. No. 3. On this back drop. Exts 2, 4 and 5, circulars issued by BALCO for providing mining allowance to its employees of Amarkantak mine and Phutkapahad mine is of no help to the second party-union. The second party-union has placed reliance on a circular issued by Indian Rare Earths Ltd., marked Ext. 1, after signing of the settlement dated 26-9-92, wherein some fringe benefits inclusive of mining allowance have been allowed to be paid to its employes. None has been examined from Indian Rare Earth Ltd. to say as to the reason why mining allowance is being paid to its employees inspite of the provision contained in the High Power Committee's report that mining allowance is not to be paid to the employees working in open-cast mines. Therefore, Ext. 1 is of no help to the second party-union.

8. The claim of the second party-union that the workmen are suffering from various ailments, namely, Asthma, Tuber-culosis etc. for the dust available in the environment has no substance in the absence of examination of the local doctor or by production of statistics to fortify such claim.

It is scientifically established that higher a man goes cooler he feels, therefore, the summer resorts are situated in almost all hill stations at higher ultitude. The working environment in higher ultitude by itself is not a health hazard.

9. Thus, on the foregoing discussions made above, the non-grant of mining allowance by the first party-management (NALCO) cannot be impeached to be a bad consideration. The non-grant of mining allowance to the employees of Panchpatmali mines of NALCO is justified, and, the mining employees of Panchpatmali of Damanjodi area are not entitled for any relief.

The reference is answered and the award is passed accordingly.

Dictated and corrected by me.

M. R. BHERA, Presiding Officer

नई दिल्ली, 11 सितम्बर, 1997

का. मा. 2517 .— औद्योगिक विवाद मियिनिम, 1947 (1947 का 14) की घारा 17 में मनुसरण में केन्द्रीय सरकार मैसर्स ०डी०बी० बाबडोडकर एन्ड सन्स प्रा. लि० एण्ड मैसर्स सम्प्राट सिक्योरिटी बिटेक्टीव एजेंसी के प्रबंधतंत्र के संबंध नियोजकों भीर उनके कर्मकारों के बीच, मनुबंध में निविष्ट भौद्योगिक विवाद में केन्द्रीय सरकार भौद्योगिक मिसकरण, सं०-2, मुम्बई के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 11-9-97 को प्राप्त हुआ था।

[संख्या एल-29011/8/98-माई मार (विविध)] वी० एम० डेविड, ईंस्क सक्षिकारी

New Delhi, the 11th September, 1997

S.O. 2517.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Indistrial Tribunal, No. I, Mumbai as shown in the Annexure, in the industrial dispute between the employers in relation to the management of M|s. D. B. Babdodkar & Sons (P) Ltd., and M|s. Samrat Security and Detective

Agency, and their workman, which was received by the Central Government on the 11-9-97.

[No. L-29011|8|91-IR (Misc)] B. M. DAVID, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, MUMBAI

PRESENT

Shri Justice R. S. Verma, Presiding Officer

REFERENCE NO. CGIT-1 72 OF 1991

PARTIES:

Employers in relation to the management of M|s. D. B. Babdodkar and Sons (P) Ltd., and M|s. Samrat Security and Detective Agency.

AND

Their workmen.

APPEARANCES:

For the Management: Shri P. J. Kamat for M|s. D. B. Bobdodkar & Sons (P) Ltd.

For the Workmen: No appearance.

State:

Goa.

Mumbai, dated the 26th day of August, 1997.

AWARD

- Shri P. J. Kamat for M|s. Babdodkar & Sons Pvt. Ltd.
- 2. None for the Union.
- 3. The Union has sent a rejoinder by post, Heard the learned counsel for M_{|S}. D. B. Babdodkar and Sons and perused the record.
- 4. It is an old case pending since 1991 and certain facts deserve to be noticed in details, to understand the controversy raised before me.
- 5. The appropriate Government by its order dated 4-9-1991 referred the following dispute for adjudication to this Tribunal:—
 - "Whether action of the management M|s.
 Samrat Security and Detective
 Agency, is justified in not providing
 liveries rainwears, shoes, gum boots,

torch, belt and security bedge to all the security staff numbering twenty five for three years i.e. 1988, 1989 and 1990. If not, what relief workmen is entitled for?"

- 6. The reference was registered as Reference No. CGIT-1/72 of 1991. It may be mentioned that parties mentioned in the schedule of reference were:—
 - "2. The Goa Samrat Security & Defective Agency, Bordem, Bicholim, Goa-403 802.
 - 3. The General Secretary, Goa Mining Labour Welfare Union, Velho's Building, 2nd floor, Opp. Municipal Garden, Panaji, Goa-403 802."
- 7. It may be mentioned that M|s. D. B. Babdodkar & Sons (P) Ltd. was not a party at all, to the dispute as referred to this Tribunal.
- 8. The concerned Union did not file any statement of claim inspite of a large number of oppotunity. Eventually my learned predecessor Hon'ble Justice Sindhakar by Award dated 3-1-1995 disposed off the reference, inter alia stating:—
 - "Today also there is no appearance on behalf of the Union, there is no statement of claim filed. It is not possible to find out the justification for the grievance and therefore, to adjudicate upon the same. In the circumstances, reference is disposed off and award accordingly."
- 9. In the body of the award mention was by made of M|s. D. B. Babdodkar & Sons (P) Ltd. It appears that initially when notices were issued by this Tribunal M|s. D. B. Bandodkar & Sons (P) Ltd. had been mentioned as a party. I am not aware, under what circumstances M|s. D. B. Bandodkar & Sons (P) Ltd. were issued notice of the reference, even though they were not a party, to the schedule of the reference.
- 10. It appears that when the aforesaid award dated 3-1-1995 had been made the United Mines Workers Union filed Misc. Application No. 2 of 1995 for restoring the reference and setting aside the exparte award referred to above. In the application M|s. D. B. Bandodkar and Sons (P) Ltd. was mentioned as one

of the employers. This application came to be disposed off on 10-3-1997. When the said order had been passed, Mr. P. Gaonkar stated that he did not want any action against Mis. Samrat Security & Detective Agency. On the basis of this submission, the application dismissed against M/s. Samrat Security Detective Agency and reference was restored to the original number so far as M|s. D. B. Bondadkar & Sons (P) Ltd. was concerned. Consequent to this order, the original reference was restored and notices were issued to M|s. D. B. Babdodkar and Sons (P) Ltd. Mr. P. J. Kamat appeared for the company and filed his authority. At that time, it was not brought to the notice of this Tribunal that the application for restoration against the Samrat Security and Detective Agency had been dismissed. Consequently, in ignorance of the said facts this Tribunal directed issue of fresh notices to Mis. Goa Samrat Security & Detective Agency. The said notice has been received unserved though another set of notice has been sent by post to this Tribunal, purporting to show that same was served.

- 11. By the aforesaid quirk of circumstances, the original employer against whom the dispute has been referred, is not a party before me, though notice has been served upon it, and to made the matters worse M|s. D. B. Babdodkar & Sons (P) Ltd. has been brought on record, even though, it was not at all a party to the dispute.
- 12. A new Union, espousing the cause of workman has come with a statement of claim to the fact that M|s. D. B. Babdodkar & Sons (P) Ltd. engaged the services of the various workmen through M|s. Goa Samrat Security & Detective Agency and hence M|s. D. B. Bandodkar & Sons (P) Ltd. was bound to provide the benefit of uniforms, rainswears, shoes, gum boots etc. for the year 1988, 1989, 1990 and thereafter.
- 13. M|s. D. B. Babdodkar & Sons (P) Ltd. has taken an objection that the reference against it is not maintainable, as it was never—an employer of the workman represented by—the said Union. Some other pleas were also taken with which I am not concerned. It is submitted that this party was never a party to the schedule of reference.
- 14. In a rejoinder received by post today, the union has submitted that the concerned em-

- ployees were working in establishment of Mis. D. B. Babdodkar & Sons (P) Ltd. and this employer is prohibited from engaging the workmen through a contractor and hence this employer was liable.
- 15. Learned counsel for M|s, D, B, Babdodkar & Sons (P) Ltd. submits that this Tribunal cannot proceed against a person which was not a party to the dispute and cannot enlarge the jurisdiction of the Tribunal by substituting altogether new parties.
- 16. I did not have the benefit of hearing the learned representative of the union, who inspite of the knowledge of the date of hearing has not choosen to appear but has merely sent a rejoinder by post.
- 17. I have recounted all the relevant facts, which unmistakeably go to show that the union it self has been substituted by a now union and an altogether new employer, which was not a party to the schedule of reference has substituted for the original employer and the union has already abandoned its claims against the original employer, who was sole party to the reference. In any opinion this course was not at all permissible. Hence, the Court cannot proceed with this reference and adjudicate the same against a party, which has been substituted for the original employer party and against whom no relief had been sought. In my opinion no adjudication or award is permissible in these peculiar circumstances of the case and I must reject the claim of the new union. However, it may be clarified, that this award order shall not preclude this union from raising proper dispute and getting the same referred to this Tribunal by the appropriate Government after joining M/s. D. B. Babdodkar Sons (P) Ltd. as a party. In the circumstances of the present case. The award may be notified to all concerned. The matter is disposed off as indicated above.

R. S. VERMA, Presiding Officer नई दिल्ली, 5 सिनम्बर, 1997

का०न्ना० 2518 — भौद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के प्रनुसरण में, केन्द्रीय मरकार वेस्टर्न रेलवे वदोदरा के प्रबंधतंत्र के संबंद्ध नियोजकों ग्रीर उनके कर्मकारों के बीच, ग्रनुबंध में विदिष्ट ग्रीद्योगिक विवाद में ग्रीद्योगिक ग्रिधकरण, गुजरात के पंचपट को प्रकारिशत करती है, जो केन्द्रीय मरकार को 2-9-97 को प्राप्त हुआ था।

[संख्या एल-4.1011/44/94-ब्राई भ्रार (बी-1)] सन्तिन, डैम्क ग्रिधकारी New Delhi, the 5th September, 1997

S.O. 2518. In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government publishes the Award of the Industrial Tribunal Guj, rat as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Western Railway. Vadodara and their workman, which was received by the Central Government on 2-9-97.

[No. L-41011/44/94-I.R.(B.I)] SANATAN, Desk Officer

ANNEXURE

BEFORE SMT. N. J. SHELAT, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL CENTRAL, AHMEDABAD

Reference (ITC) No. 24 of 1996 ADJUDICATION BETWEEN

Western Railway, Vadodara.

First Party.

AND

The workmen employed under it. Second Party. In the matter of imposing the penalty of Stoppage of 2 sets of privilege tickets to Shri Harishanker Gupta,

K. D. Kakda and Subhas G. Rajput.

APPEARANCES:

None for the first party and second party.

AWARD

By an Order No. I.-41011/44. 94-I.R.(B) dated 2-7-96 the Desk Officer, Ministry of Labour, Government of India, New Delhi has referred an industrial dispute as stated in the Schedule of above order between the above parties u/s. 10(1) of the Industrial Disputes Act, 1947 for adjudication to this Tribunal.

In spite of services of notice to the above parties neither they have appeared before this Tribunal nor filed statement of claim or any other documents till this day. In the result, I pass following order:—

ORDER

The reference is dismissed for non-prosecution and it is disposed off accordingly with no order as to costs.

Sd./1 Secretary.

Ahmedabad, 21st August, 1997.

N. J. SHELAT, Presiding Officer

नई दिल्ली, 5 सितम्बर, 1997

का॰ आ॰ 2519— प्रौद्योगिक विवाद श्रिधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मैं॰ बी॰ सी॰ सी॰ एल॰ के प्रबंधतंत्र के संबंध नियोजकों श्रीर उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट श्रीद्योगिक विवाद में श्रीद्योगिक श्रिधकरण, (सं. 1), धनबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-9-97 को प्राप्त हुश्रा था।

[सं० एल-20012/284/91-माई भ्रार (सी-[])] सनातन, डैस्क अधिकारी

New Delhi, the 5th September, 1997

S.O. 2519.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government

hereby publishes the Award of the Central Government. Industrial Tribunal (No. I), Dhanbad as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of M/s. BCCL and their workmen, which was received by the Central Government on 3-9-97.

[No. L-20012/284/91-IR(C-1)] SANATAN, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference under Section 10(1)(d)(2A) of the Industrial Disputes Act, 1947
Reference No. 45 of 1993

PARTIES:

Employers in relation to the management of Moonidih Project of M/s. B.C.C. Ltd.

AND

Their Workmen.

PRESENT:

Shri Tarkeshwar Prasad, Presiding Officer.

APPEARANCES:

For the Employers: Shri B. Joshi, Advocate

For the Workmen: Shri B. K. Ghosh, Member, Executive Committee, Janta Mazdoor Sangh.

STATE: Bihar

INDUSTRY : Coal

Dated, the 27th August, 1997

AWARD

By Ordet No. 1-20012/284/91-I.R. (Coal-1) dated 5-1-93 the Central Government in the Ministry of Labour, has in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal:—

"Whether the demand of Janta Mazdoor Sangh that the management of Moonidih Project of M/s. BCCL, P.O. Moonidih, District Dhanbad should departmentalise and treat as regular workmen on the rolls of the colliery, 18 Tyndal Mazdoors etc. whose names appear in the Annexure, is justified? If not, to what relief are these Typndol Mazdoor etc. entitled?

ANNEXURE

- 1. Shei Mewa Singh.
- 2. Shri Sikhdeo Singh.
- 3. Shri Balbir Singh,
- 4. Shri Kapoor Malhotra
- 5. Shri Biru Singh.
- 6 Shri A. K. Jha.
- 7. Shri Amar Singh.
- 8. Shri Bajeed Singh.
- 9. Shri Jaswant Singh,
- [10] Shri Hoshiar Singh,
- 11. Shri Ajay Kumar Jha.
- 12. Shri Fulmindar Singh.
- Shri Ajay Kumar Jha.
- 14. Shri Kuldip Singh.
- 15 Shri Inderjit Singh.
- 16. Shri Ajit Singh.
- 17. Shri Naresh Singh.
- 18. Shri Vakul Singh.

2. The concerned workmen and the sponsoring union appeared and filed written statement stating therein that the

concerned workmen Mewa Singh and 17 others as per schedue were working with the management of Moonidin Project from 1986 in vaarious permanent and perennial nature of job, such as blacksmithy, weiding, fabrication, erection and typndal job and there was a dispute raised before the A.L.C.(C), Dhanbad vide letter dated 9-7-90 for regularisation of the workmen on the departmental roll of the Company on proper category wages with retrospective enect from the year, 1986. After getting notice from the A.L.C.(C) the management stopped the workmen from work on the ground that no work was available. The management also dealed before the A.L.C.(C) in the written comments that they were working in the job of prohibited category, but ignored this fact that the job on which the workmen were working since 1986 were permanent and perennial nature of job in which only departmental workmen were engaged as per NCWA. It is also said that there was in reality no element of contract system and offer of works through M/s. New Jhang Transport, was only a veil to exploit the workmen.

- 3. It is further said that the management offered the work to the workmen on labour rates only and in order to keen auticient check advised through bills for payment to workmen and arranged payment under their supervision on. It said that nature or jobs performed by the workmen for such a long period for 4-5 years together they were entitled for their regularisation/departmentalisation as regular workman on the sole of the company and their demand is quite justified. It is therefore prayed that the award be passed accordingly.
- 4. The management appeared and filed written statement stating, inter-ana, that the reference was not legally maintemante and there was no relationship of employer-employee between the management and the concerned workinen and it is stated that the sponsoring union has asserted that the concerned workmen were contractor's workmen, who carried on various kinds of contract work under the name and style on New Jhang Transport Company and the said contractor was awarded some of the engineering contract after negotiathough various work orders during the year 1987, 1>88 and 1989. It is said that the work orders were issued for the purpose of carrying on engineering jobs such as, removal of scrap from shart, extension of cycle stand, making cow catcher, dismantling of temporary building, transportation of cable and some repairing and fabrication jobs which were of temporary nature extending for a period of eight to ten days and after completion of the jobs entrusted to the Contractor, he used to submit bilis to the management and payment was made after verification of the work and the contractor used to pay his workmen. It is also said that the contractor used to select his workmen as per requirement and they were under his control and supervision and the management has no control and supervision over these workmen. It is also said that some of the workmen worked as contract workers under the contractor and the contractor included some job seekers in order to increase the strength to 18 persons demanding employment with the management. It is also said that as per the provision of Contract Labour (Regulation and Abolition) Act, 1970 it is the Central Governnient who is competent authority to prohibit engagement of contract workers in any process or in any work in a coal mine and no notification has been issued under Section 10 of the Contract Labour (ReRgulation and Abolition) Act prohibiting engagement of contractor on engineering jobs. It is said that engineering jobs may be available from time to time depending upon break-down of machineries, installation of new plants, etc. and all such works are temporary in nature which do not last for longer period. It is also said that the concerned workmen cannot claim abolition of contract system on all kinds of engineering jobs and to departmentalise the workmen of the Contractors under the management. It is also said that the demand of the workmen for their departmentalisation as regular workers of the company is not justified and award be passed accordingly.
- 5. I further find that a rejoinder to the written statement of the workmen has been filed by the management denying the contention of the workmen specifically and parawise and the same is said to be incorrect and denied. It is also said that the workmen are not entitled for their claim as made for their regularisation.
- 6. I further find that a rejoinder has also been filed against william statement of the management denying the plea taken

by the management specifically and parawise and the same is said to be incorrect and demed. It is also said that ine job performed by the workmen does not relate to the job of prohibited category rather the job performed by them was of permanent and perennial nature and as per NCWA-III it was agreed upon that the industry would not employ or engage contractor's labour on jobs of permanent and perennial nature and such job would be done by regular workers. Hence, claim of the workmen that they were doing permanent and perennial nature of job for years together and more than 240 days regular and centinuous service in 12 calcudar year for years together and they were entitled for their regularisation in the employment of the management.

- 7. On the basis of plea of the parties the point for consideration in this reference is-
 - (a) As to whether or not the demand of the sponsoring union and the workmen for their regularisation and departmentalisation as regular workers is justified or not?
 - (b) If so, to what other relief or reliefs the workmen are entitled?
- 8. Both the points are inter-linked, as such are taken together for their consideration.
- 9. I find that the management has examined MW-1 Janki Prasad, who was working as Superintending Engineer of Moonidih Area Project since 1975 and he has supported the management's case as given in written statement and has said that there was a contractor firm, namely, New Jhang Transport Company who was given contract in the years 1987 to 1989 for building cow shed and cow catcher, cycle stand and for demolishing of building etc. Same transport work was also given to the contractor and work order was issued to the contractor for such work which have been filed and exhibited. He has further said that the workmen engaged by the contractor were selected by the contractor himself and they used to work under his supervision and the management has no control over them. He has further said that on completion of the work bills were submitted by the Firm and payment was made through cheque. He has further said that those works were temporary in nature and the concerned workmen did not work regularly as Tyndal and their claim for regularisa-tion was not justified. In cross-examination he has said that the work order issued to the Transport Contractor under the signature of the Agent and not under his signature and he was only responsible for passing of the bill of the contractor and no payment was made by him. He has denied that the payment was made to the workmen under supervision of the officer of the company. He could not say whether the said contractor company had any licence of not. He has defied that there was no contractor like Jhang Company and this intermidiary was created by them just to defeat the claim of the workmen. He has also denied that the workmen were doing permanent and perennial nature of job under the company.

10. Similarly, the workmen have examined WW-1 Mewa Singh who is workman No. 1 in the Annexure and he knew all the workmen and deposed on their behalf and they were engaged in the work of blacksmith, tyndal, welder, gas cutter etc. under the management and he used to supervise the work of the other workmen. The fabrication work was done by the concerned workmen in their different capacities as per drawing prepared by the Engineers of the Company and they used to work inside the premises of the Project and they were engaged in permanent nature of job. He has also stated that the amount calculated in the work orders filed in this Tribunal were calculated on the basis of labour-rate, and these work orders were issued in the name of M/s. New Jhang Transport as the management asked them to establish a company to facilitate easy payment of the amount due to the workmen for the work done by them and thereafter they created such a company the management used to pay by issuing cheque in the name of the said Firm but this was simply a firm neither licenced nor registered. He has further stated that the management used to give letters to file calculation for the work done at the labour-rate and the concerned workmen used to get payment at the counter of the company. He also used to sign on every page after rayment and such register is produced and marked Ext. W-1 and after filing their dispute the management stopped their work. He was fully crossexamined and said that the company used to issue cheques on the bills submitted by the said Firm and sometime payment was made in cash. The account was in the name of the Firm and it was operated by him and he used to draw the mostly from the account and pay the concerned workmen at the rate of Rs. 25/- a day and he used to take for himself at the rate of Rs. 30/- to Rs. 32/- per day. He has filed some of the work orders but all were not available with him as at the time of payment he was asked to attain the same with the bill. He has denied that the Transport Contractor's Firm was a Contractor's Firm rum by him rather it was camouflage. He has also denied that the work was allotted at intervals from time to time and that the workmen were not working on permanent basis.

- 11. On re-call he has further said in his examination-inchief that the work order Ext. M-1 consists of the jobs of welding, cutting, blacksmith and of tyndal. Similar nature of jobs also carried vide Ext. M-1/1 series or Ext. M-1/3 series and in rest of the work order similar nature of job has been entrusted. He has further said that fabrication work entrusted through the work-orders were performed in the surface and this fabrication works were done for support in the underground. He did not know that similar support work is also done with the help of timber and sleepers. Some other persons were also doing the work of fabrication, but he has denied that he and other workmen working under the Contractor. He has also denied that the management used to get aforesaid fabrication work done through contractor.
- 12. Some documents have been filed on behalf of the management—Ext. M-1 series photo copy of such work orders from the year 1987 till 31st March, 1989 and Ext. M-2 series are pre-receipted bills submitted by the said contractor Company, M/s. New Jhang Transport Company alongwith bills and payment order made through these tills which are Ext. M-2 to M-2|11.
- 13. The workmen have also filed documents marked Exts. W-1 and W-1/1 for the years 1988-89 and Ext. W-2 Attendance Register of the workmen which also bear signature of Dy. Personnei Manager on almost all the pages at interval below the attendance of the concerned workmen which has been shown marked below from January, 1989 to December, 1989. Ext. M-1 series are photo copy of Attendance Register from January, 1988 till December, 1989 where attendance of the workmen has been marked and payment on revenue stamp has been shown also under the signature of Sr. Personnel Officer of Moonidih Project of the management with his official seal. So these documents Ext. W-1 series and Ext. W-2 cannot be said to be manufactured documents for the purpose of the case.
- 14. While arguing the case it has been submitted on behalf of the workmen and the sponsoring union that the job of welding, blacksmithy, fabrication erection and tyndal jobs were of permanent and perennial nature which the workmen were continuously performing from the year 1986 to 1989 and they were stopped from work after service notice to the management. It is also submitted that from Ext. M-1 series filed by the management the nature of work been noted in these work orders and these are from the years 1987 to 1990 and goes to substantiate the contention of the workmen that they have worked for long and com-pleted so many 240 days in 12 calendar months working with the management and doing the job of permanent and perennial nature. This fact is also substantiated from Ext. W-1 series and Ext. W-2 the attendance register filed by the workmen and the union which bear the signature of the Personnel Officer of the management with his official seal. It is also submitted that the intermediary M/s. New Jhang Transport was only a vell to shield the management's legal liabilities and it was simply shame and camouflage to deny the claim of the workmen for their regularisation and moreover the said contractor had neither licence for contract work non the management produced to show that it has registration for engaging such contractor for performing permanent and perennial nature of job by contractor work-men. It is also pointed out that MW-1 the only witness examined by the management has clearly admitted that he had no direct personal knowledge of the work performed by the workmen and he was simply concerned with passing of the bills submitted by the Contractor company of the workmen. In view of the matter the contention of the management that the sponsoring union and the workmen are demanding for abolition of contract system in the company is totally beyond the record and simply the workmen and

Union are demanding for regularisation/departmentalisation of the workness as they have worked for so many years performing permanent and perennial nature of job with the management and such nature of job was restricted under NCWA-III to be done only by the permanent workmen and not by contractor workers to which the management has not denied.

- 15. On the other hand, it has been submitted on behalf of the management that the concerned workmen were workers of Contractor Company, M/s. New Jhang Transport and they were working as per work order issued to the contractor company for doing cow, catcher, cycle stand dismantling of building etc. and these works are not of prohibited category. It is also submitted that there was no relationship of employer and employee between them and the workmen and they were simply workers of the contractor working under the supervision of the contractor and the management has no control and supervision over the workmen of the contractor and they used to submit bills and accordingly payment was made vide Ext. M-2 series. It is also submitted that no a notice under Section 10 of the Contractor Labour (Regulation & Abolition) Act has been issued by the Central Government prohibiting engagement of contract labour on the job of erection and fabrication like such work of temporary nature. It is also denied that the workmen were doing the work of permanent and perennial nature of job and it was pointed out in view of the authority of the Hon'ble Supreme Court in a case of Vegoil Private Ltd. Vs. the Workmen reported in AIR 1972 SC 1942 and also in the case of BHEL Workers Association Vs. Union of India reported in AIR 1985 Supreme Court 409 that it is the Government to decide prohibition of employment of centract labour in an establishment on the principal jobs and the Tribuals and Labour Courts have no jurisdiction to decide the issue. It is further submitted that no such notification has been produced by the sponsoring union showing that engagement of the contract labour was prohibited for doing the work as given in the work order Ext. M-1 series. As such it is pointed out that the demand of the union and the concerned workmen for their regularisation/departmentalisation on the permanent roll of the management is not tenuble and valid nor justifled and the workmen are not entitled for the relief as claimed.
- 16. However, my attention has been drawn to the recent authority of the Hon'ble Supreme Court reported in 1997 Lab. I. C. 365 at page 368 (Air India Statutory Corporation Vs. United Labour Union and others), where it has been held by their Lordships, "that under Section 10 of the Contract Labour (Regulation & Abolition) Act, 1970 that in the Abolition of contract labour system direct relationship of employer and employee is created between the principal employers and the workmen and the workmen get right to be regularised in service. It has been further elaborated that 'Abolition of contract labour system ensures right to the workmen for regularisation of them as employees in the establishment in which they were hitherto working as contract labour through the contractor. The Contractor stands removed from the regulation under the Act and direct relationship of 'employer and employee' is created between the principal employer and workmen." 1991 AIR SCW 3026, Over-ruled, 1995 AIR SCW 2942 Partly Overruled," It has also held by Their Lordships that the Act does not provide total abolition of the contract labour system under the Act. Tr. regulates contract labour system to prevent exploitation of the contract labour. The preamble of the Act furnishes the key to its scope and operation.
- 17. Perused the above authority. It has been pointed out that in view of this authority of the Hon'ble Supreme Court (Division Bench) by which Dinanath case has been overruled, the management cannot take the plea that the workmen being contractor labour cannot claim their regularisation with the principal employer rather the principal laid down in the said authority is otherwise and is in favour of the workmen.
- 18. It is also submitted that there is nothing to show an record that as per plea taken by the management, it had any registration certificate under Sec 9 of the Contract Labour (Reculation & Abolition) Act, 1970 or the so-c-alled contractor. Md Faruque Khan had any licence for engagement of contract labour for doing the work as given in the work order Ext M-1 series and on this score also the case of the management falls as it is against the provision of Contract Labour (Regulation & Abolition) Act, 1970.

19. In the above circumstances, I do not find any ment in the plea taken by the management that the claim of the yorkman and sponsoring union for regularisation departmentalisation of the workmen is not genuine and justified and the action of the management in not regularising/departmentalising their service was valid and justified.

.20. In the above circumstances, both the points are decided in favour of the workmen and it is held that the demand of the union and the concerned workmen for their reinstatement and regularisation/departmentalisation is quite valid and justified and it is also clear that they were stopped from work by the management after raising the dispute before the A.L.C. (C) in July, 1990. I also find that in the terms of reference as well in the corrigendum in the terms of reference no specific date has been given for regularisation/deparimentalisation of the workmen on the permanent roll of the management as Tyndal Mazdoors. But it is clear that the dispute was raised in the year 1990 and they were stopped work by the management in July, 1990 after getting information of raising the dispute by the concerned workmen, as such it is also clear that their stoppage of work without notice as per provision of under sec. 25-F of the I.D. Act and their stoppage becomes void-abinitio.

21. Accordingly, the management is directed to reinstate and regularise/departmentalise the concerned as permanent tyndal of the management with effect from 1-7-1990 with atloast 30 per cent of full back wages, from this very date

22. Hence, the award—The demand of Janta Mazdoor Sangh that the management of Moonidih Project of M/s. B.C.C. Ltd., P.O. Moonidih, Distt. Dhanbad should departmentalise and treat as regular workmen on the rolls of the colliery, 18 Tyndal Mazdoors etc., whose names appear in the Annexure, is justified. The management is directed to reinstate and regularise/departmentalise the concerned workmen as permanent tyndal of the management with effect from 1-7-1990 with atleast 30 per cent of full back wages. from this very date, within two months from the date of publication of the award in the Gazette of India.

However, there will be no order as to costs.

TARKESHWAR PRASAD, Preciding Officer

नई दिल्ली, 5 सितम्बर, 1997

का . ब्रा . 2520 - भौद्योगिक विवाद प्रधिनियम, 1947. ं(1ॢ947 का 1,4) की धारा 17 के ग्रनुसरण में केन्द्रीय सुरकार वैज्ञाली क्षेत्रीय ग्रामीण बैंक, मुजफ्करपुर के प्रबंध-श्रीक के संबद्ध नियोजकों श्रीर उनके कर्मकारों के बीच, अनुबंध में निद्धिष्ट श्रीद्योगिक विवाद में केन्द्रीय सरकार श्रीद्योगिक श्रीध-कराग, नं. 2, धनकाद के पंचपट को प्रकाशित करती है, अं केम्द्रीय सरकार को 3-9-97 को प्राप्त हुन्ना था।

> [सं एल-12011/13/92-प्राई भ्रार (बी-3)] सनातन, डैस्क अधिकारी

New Delhi, the 5th September, 1997

S.O. 2520.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal No. 2, Dhanbad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Vaishally Kshetriya Gramin Bank, Muzaffarpur and their workman, which was received by the Central Government on 3-9-1997.

> [No. L-12011/13/92-IR (B-III)] SANATAN, Desk Officer

ANNEXURE

DEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1 AT DHANBAD

PRESENT :

Shrl T. Prasad, Presiding Officer In the matter of an industrial dispute under Section 10(1)(d) of the L. D. Act, 1947

Reference No. 41 of 1992

PARTIES:

Employers in relation to the management of Vaishally Kshetriya Gramin Bank, Muzaflarpur and workman.

APPEARANCES

On behalf of the workmen-Shri Nitay Kumar Sinha, General Secretary, Valshalli Kshetriya Gramin Bank.

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On behalf of the employers—Shri B. Joshi, Advocate. INDUSTRY; Banking STATE: Bihar

> Dhanbad, the August, 1997

AWARD

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I. D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-12011. 13|92-LR. (B-3). dated, the 4th June, 1992.

SCHEDULE

"Whether the action of the management of Vaishally Kshetriya Gramin Bank in terminating/retrenching S/Shri Collector Singh, Jaikant Thakur and Mithilesh Lal from their services and further denying their reinstatement/regularisation is legal and justified? If not, to what relief the concerned workmen are entitled?"

2. The workmen and the sponsoring union have appeared W.S. stating therein that the concerned workmen were terminated from services by the management with effect from 1-8-82. 14-10-81 and 1-4-85 respectively and despite of repeated request they were not again engaged by the management. It is said that they joined the services of the management at the branches namely Sitamarhi, Parsauni and Baligaon from 13-1-78, 28-4-78 and 31-8-79 respectively and they have all completed more than 240 days of continuous service for years together but they were stopped/ terminated of their services without any notice or notice pay or compensation as laid dowr under Section 25-F of the J. D. Act, 1947. They were paid at a very meagre rate of Rs. 6 per day on initial stage and it was increased margi-nally thereafter. It is also said that the workman did not attend their branches for sometimes and went on leave on account of the situation beyond their control and after recovery from illness when they turned up to their places of posting they were not allowed to join duty by the then Branch Manager delaberately and this action of the manager ment was arbitrary and illegal. After their termination stoppage they filed a number of representation before the management but of no result and ultimately a dispute was raised before the ALC (C) Patter by the sponsoring union in the year 1991. On failure of the conciliation, F.O.C. report was sent to the Ministry resulting reference to this Tribunal. It is said that the retrenchment of the concerned workmen without following the statutory provision of notice or notice compensation as required under Section 25-F was not followed and their termination/retrenchment was void abinitio and accordingly they have maved for reinstatement/ regularisation of service with full back wage: as the action of the management was quite arbitrary and unjustified.

3 I find that the management has appeared filed W.S. stating inter alia that the reference was not maintainable under facts and law and the management's Head Office is at Muzaffarpur sponsored by the Central Rank of India was constituted under Section 3 of the Regional Rural Bank Act. 1976, Bihar and that the claim of the sponsoring union is vague and ambiguous. It is soid that the concerned workmen Collector Singh was engaged at Sitamarhi branch of Vaishally Kshetriya Gramin Bank as ca val worker for sweeping on daily wages of Rs o ner day and he served in the Bank management intermittently and with breaks and no appointment letter was given to him. Thereafter he left coming in the branch after 21-7-82 for better engagement elsewhere and no information was given to the Bank.

4. Similarly the workman Jaikant Thakur joined in Parsauni branch of the Bank as casual worker for sweeping work of the branch at daily wares of Rs. 6 per day and when he worked no regular appointment was given and he left coming in the Bank after 17 8-8f for some better engagement and thereafter no information was given by him to the Bank. He also did not approach the bank nor represented his case for his engagement after 17-8-81 and he voluntarily abandoned his engagement on daily wages

5. It is also said that the workman Mithilesh Lal was engaged at Baligaon branch of the Brok as equal workers/fress on daily payment of Rs. 6 per day and no regular appointment letter was given to him also and he too worked intermittently and too with breaks. It is said that he

worked on contractual basis from 1-6-83 on the terms and conditions given in the agreement and he was engaged as purely part time as messenger-cum-sweeper and he too absented from the Bank with effect from 31-3-85 and never turned up thereafter nor ever he represented before the management after his absence from 31-3-85 and any other allegations to the contrary are false and concocted. It is said that Shri Lal voluntarily abandoned his contractual agreement. It is further said that they have not given any information to the management but so far information goes to the management Shri Lal was working as casual labour under the Railway Administration after 31-3-85 and as such it is said that the contentions of the workmen concerned contrary to the above facts are false and being made with a view to get employment with the Bank management.

- 6. By way of rejoinder to the contentions of the workmen as given in the W.S. has been denied specifically and parawise and it is said to be wrong and incorrect and denied. It is therefore said that the Award be passed in favour of the management.
- 7. I further find that a rejoinder has been given by the workmen to the W.S. of the management denying the contentions/specifically and parawise and the same is said to be incorrect false frivolous and denied and it is prayed that the Award be passed in favour of the workmen for their reinstatement and regularisation with full back wages.
- 8. On the basis of the pleadings of the parties the points for considerations are:
 - (a) Whether the action of the management of Vaishally Kshetriva Gramin Bank in terminating/retrenching of all the three workmen from their services and further denying their reinstatement/regularisation is valid and justified?
 - (b) If not, to what relief or other reliefs the workmen concerned are entitled?
- 9. As both the points are inter linked so they they are taken up together for their consideration.
- 10. I find that the management has examined three witnesses MW-1 Laxmi Narain Sao of Sitamarhi Branch, MW-2 Prafulla Kumar Das of Baligaon branch and MW-3 Kaushal Kishore Singh of Personi Branch All the three witnesses of the management have tried to say that the concerned workmen worked at their branches intermittently with brakes and absented from their duty without any application or information to the management and they were engaged on purely casual basis on payment of Rs. 6 per day for doing sweeping working and like nature and they left their work voluntarily for getting botter engagement at other places. They had not informed the management after their absence from the Bank. I find that none was present on behalf of the workmen at the time of examination of MW-1. However, MW-2 and MW-3 were pross-examined on behalf of the workmen and have stated that the concerned workmen when in service were engaged for sweeping and collecting water and they worked for the whole day and sometimes dak or cheques were given to them for delibery at other places and they have also worked as Daftry and casual leave was granted to them as and when applications were filed. MW-2 has further proved letters written and signed by him marked Ext. M-1 to M-1/3. However, he could not say as to whether any appointment letter was given to the Messenger and he joined Baligaon branch on 22-4-84. He has further said that the workmen used to work as Sweeper Water career and delivery of chest sent at Samstipur branch, and when he was present in the Bank he used to work for the whole day and all works. Similarly MW-3 has proved a letter written by the workman laik int Thakur bearing his signature marked Ext. M-1/4. He has further stated that he has given a character certificate to Jaikant Thakur under his signature marked Ext. W-1.
- 11. Workmon examined two witnesses ramely Jaikant Thakur WW-1 and Mithilesh f.al. WW-2. Both of them have supported their cases as contained in their W.S. In cross-examination WW-1 has stated that no notice or notice compensation was given to him at the time of stoppage of his work in 1991 and thereafter in between of 10 years he was regularly representing his case before the Chairman of the Bank and used to meet with him personally for his restoration but nothing was done. He has also stated that Ext. W-1 has been filed to show the period 2357 GI/97—19

he has worked in the Bank and Ext. M-1 was never written by him nor it bears his signature. He has also stated that the payment of wages were made to him through vouchers and was used to be deposited in his Savings Bank Account in the Bank. The evidence of WW-2 is also on similar nature and in the cross-examination he too stated that their attendance was marked on a separate register, Ext. M2 was also written by the Branch Manager of the Baligaon branch of the Bank to him and he denied that after taking draft from the Bank for delivery to M/s. Sardar Radio Samastipur he absented for 6 months rather he was absent for 3 days and when he returned to duty after 3 days he was asked by the Branch Manager to go to the Chairman and he was asked by the Chairman to report his duty in the branch. He was stopped work in the year 1985 and no notice was given to him by the management. He has filed a case after 7 years and in the meantime he has to go to the Chairman of the Bank to represent his case is no other witness in the case

- 12. While arguing the case it has been submitted on behalf of the Bank management that the concerned workmen worked for a short a period that too intermsttently with brakes and used to absent from duties without application or permission and it is incorrect to say that they have completed more than 240 days of continuous regular work with the management in 12 calendar months and have become entitled for their regularisation in the Bank's services. It is also said that they were engaged as casual worker @ Rs. 6 per day payment and was through vouchers credited to their Savings Bank Accounts. It is further said that the cases were filed after 10 years and this long period took by the workmen in raising the dispute which became overstale and such delay defeats the right and claim of the workmen as held by the Hor'ble Supreme Court in various authorities and on this point alone their claim is fit to be dismissed. It is also submitted that vide Ext. M-1 series it is clear that the concerned workmen were being absent regularly without any intimation or permission taken from the Bank management and as the Bank's work was being hampered due to their and as the Ballic worker was engaged in their place and there is no question of notice or notice nav as required under Section 25-F of the I. D. Act. 1947 as they have not completed more than 240 days regular work in 12 calendar months with the management. Accordingly it is submitted that the case is fit to be dismissed and the Award be passed accordingly
- 13. On the other hand it has been submitted on behalf of the workmen that all three concerned workmen have worked at different branches of the Bank management for several years lastly upto April. 1985 in case of work man Mithilesh Lal and all of a sudden all of them were stanced work by the management without giving notice or notice compensation as required under Section 25-F of the r, D Act. It is further submitted that from Ext W-1 file by the workmen i tis clear that the certificate was issued by the Branch Manager where Jaikant Thokur was working as it is mentioned there that he has worked from 28-4-70 till Angust 1981. From Ext. M-1 series also as filed on behalf of the management it is clear that the concerned workman Mithilesh Lal have also worked for long period and in betwen the period he was absent for a few days for which correspondance was made from the Branch Manager level to the Head Office of the Bank management at Muzaffarnur From Ext M-1, M-1/4 filed by Joikant Thokur to the Chairman of the Bank management it is also clear that he has worked in the Bank from Anril, 1978 to August, 1981, and the same is admitted in the W.S. of the management that the concerned workman has worked at Samastinur branch of the Rank for a longer period till 31_7_90 and from these documentary proofs and as admitted In the WS filed by the management it is clear that all the three workmen have completed more than 240 days in 12 colendar months for years together and all of a midden they were storged from work from different dates by the management without any notice or notice commensa-tion violating the provisions of Section 25-F of the I. D. Act 1947 and their stoppage of work becomes void abinitio. This fact has not been refuted by the management by any concrete oral or documentary evidence on record.
- 14 So far question of delay is concerned sufficient explanation has been given we the workmen that after stonnage of work in the year 1982 and 1985 in case of workman

Shri Lal they used to approach the branch management and also the Chairman of the Bank management and filed rpresenttions both orally and in writing for their reinstatement and regularisation in service but nothing was done and ultimately they approached the sponsoring union and a dispute was raised before the ALC (C) in the year 1991 and on submission of the F.O.C. report this reference has been made to this Tribunal. In this way delay if any has arisen of the dispute has been sufficiently explained by the workmen in the evidence as well as in the W.S. and their claim cannot be said to be stale claim. Had the management been taken any decision on the representatios filed by the workmen this delay would not have caused and the delay if any occured in the matter it was not for the action of the workmen rather it was due to the in action of the management as nothing was done on the representations for their reinstatement in service.

- 15. In the result, I find that the action of the management in stopping/terminating the concerned workmen from their services and further refusing to the reinsate them in service without giving notice or notice compensation as required under Section 25-F of the I. D. Act, 1947 cannot be said to be legal and justified and the claim of the workmen for their reinstatement and regularisation with back wages seems to be quite genuine and justified.
- 16. It is apparent from the terms of reference that no specific date has been mentioned for reinstatement/regularisation of the workmen in the reference but it is clear that the dispute was raised before the ALC (C) in the year 1990-91 as such the management is directed to regularise the concerned workmen in service from 1st of January, 1991 and to pay atleast 30% of full back wages from this very date. Accordingly both the points are decided in favour of the workmen. Hence the following Award is rendered:—
 - "The action of the management of Vaishally Gramin Bank in terminating/retrenching of S/Shri Collector Singh, Jaikant Thakur and Mithilesh Lal from their services and further denying their reinstatement/regularisation is not valid and justified. Consequently the above three concerned workmen are entitled for reinstatement and regularisation in services of the Bank management with payment of 30% full back wages with effect from First of January, 1991."
- 17. The management is directed to reinstate and regularise the concerned three workmen in the services of the Bank management with 30% full back wages within (two) 2 months from the date of publication of the Award in the Gazette of India.
 - However, there will be no order as to costs.
 T. PRASAD, Presiding Officer

नई दिल्ली, 5 सितम्बर, 1997

का. था. 2521.—श्रीबोगिक विवाद प्रधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ इंडिया के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्विष्ट श्रीबोगिक विवाद में केन्द्रीय सरकार श्रीबोगिक श्रधिकरण, कलकत्ता के पंचपट को प्रकाधित करती है, जो केन्द्रीय सरकार को 3-9-97 को प्राप्त हुआ था।

[संख्या एल-12011/35/92-आई प्रार वीर्सी-/बी-र]] सनातन, डैस्क प्रधिकारी

New Delhi, the 5th September, 1997

S.O. 2521.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal.

Calcutta as shown in the Annexure, in the industrial dispute between the employers in relation to the management of State Bank of India and their workman, which was received by the Central Government on 3-9-1997.

[No. L-12011|35|92-I.R. B.III|BI] SANATAN, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUTTA

Reference No. 56 of 1992

PARTIES:

Employers in relation to the management of State Bank of India.

AND

Their workmen.

PRESENT:

Mr. Justice A. K. Chakravarty, Presiding Officer.

APPEARANCE:

On behalf of Management—None.

On behalf of Workmen—None.

STATE: West Bengal INDUSTRY: Banking

AWARD

By Order No. L-12011|35|92-IR(B. III)|B. I dated 4|5-11-1992 the Government of India, Ministry of Labour in exercise of its powers under section 10(1)(d) and (2A) of the Industrial Disputes Act, 1947 referred the following dispute to the Tribunal for adjudication:

- "Whether S|Shri Santi Ghosh, Indrajit Rakshit and Amerendra Das, Canteen Boys, are the workmen of State Bank of India? If so, whether the action of the management of State Bank of India in not regularising their services in the subordinate cadre is justified? If not, to what relief(s) they are entitled to?"
- 2. When the case is called out today, neither of the parties appear. It appears from the service return of the notice issued upon the workmen union that it was returned unserved with the endorsement "Left". It also appears that the Union was making its representation through its President and has given no intimation to the Tribunal about any change of address of the Union in the meantime. In the circumstances, it may be presumed that the service of the notice upon the Union has been properly effected.
- 3. It also appears from the order dated 11-7-1996 that my learned predecessor granted time to the

parties as last chance for obtaining stay order from the Hon'ble Supreme Court in view of the alleged appeal being pending before that Court. Nothing is produced by either of the parties to show that any appeal was preferred and is still pending for disposal before the Hon'ble Supreme Court or any order was passed by the Hon'ble Supreme Court staying further proceeding in the matter. On earlier occassions also, none of the parties appeared. In the said circumstances, it is clear that the parties are not interested in the matter.

- 4. In the aforesaid circumstances, in the absence of any material before this Tribunal for any decision of the issue under reference, this Tribunal has no other alternative but to pass a "No Dispute" Award in the matter.
- 5. A "No Dispute" Award is therefore passed and the reference is disposed of accordingly.

This is my Award.

A. K. CHAKRAVARTY, Presiding Officer Dated, Calcutta, the 25th August, 1997.

नई दिल्ली, 5 सितम्बर, 1997

का. था. 2522.— भौधोगिक विवाद प्रधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार स्टेट बैंक आँफ इंडिया के प्रबंधतंत्र के संबद्ध नियो- जकों भौर उनके कर्मकारों के बीच, अनुबंध में निर्विष्ट भौदोगिक विवाद में श्रौधोगिक श्रधिकरण, कलकसा के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-9-97 को प्राप्त हुआ था।

[संख्या एल-12012/150/92-माई म्रार (बी-III/बी-I)] सनातन, डैस्क मधिकारी

New Delhi, the 5th September, 1997

S.O. 2522.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Calcutta as shown in the Annexure, in the industrial dispute between the employers in relation to the management of State Bank of India and their workman, which was received by the Central Government on 3-9-1997.

[No. L-12012|150|92-I.R.(B. III)|B. I] SANATAN, Desk Officer

ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL AT CALCUITA

Reference No. 57 of 1992

PARTIES:

Employers in relation to the management of State Bank of India.

AND

Their workmen.

PRESENT:

Mr. Justice A. K. Chakravarty, Presiding Officer.

APPEARANCE:

On behalf of Management: None. On behalf of Workmen: None.

STATE: West Bengal INDUSTRY: Banking AWARD

By Order No. L-12012|150|92-IR(B. III|B. I dated 6-11-1992 the Government of India, Ministry of Labour in exercise of its powers under section 10(1)(d) and (2A) of the Industrial Disputes Act, 1947 referred the following dispute to this Tribunal for adjudication:

"Whether Shri Bablu Sil, Canteen Boy, is a workman of State Bank of India? If so, whether the action of the management of State Bank of India in not regularising his services in subordinate cadre of the bank is justified? If not, to what relief he is entitled to?"

- 2. When the case is called out today, neither of the parties appear. It appears from the service return of the notice issued upon the workmen union that it was returned unserved with the endorsement "Left". It also appears that the Union was making its representation through its President and has given no intimation to the Tribunal about any change of address of the Union in the meantime. In the circumstances, it may be presumed that the service of the notice upon the Union has been properly effected.
- 3. It also appears from the order daed 11-7-1996 that my learned predecessor granted time to the parties a last chance for obtaining stay order from the Hon'ble Supreme Court in view of the alleged appeal being pending before that Court. Nothing is produced by either of the parties to show that any appeal was preferred and is still pending for disposal before the Hon'ble Supreme Court or any order was passed by the Hon'ble Supreme Court staying further proceeding in the matter. On earlier occassions also, none of the parties appeared. In the said circumstances, it is clear that the parties are not interested in the matter.
- 4. In the aforesaid circumstances, in the absence of any material before this Tribunal for any decision of the issue under reference, this Tribunal has no other alternative but to pass a "No Dispute" Award in the matter.

5. A "No Dispute" Award is therefore passed and the reference is disposed of accordingly.

This is my Award.

Dated, Calcutta, the 25th August, 1997.

A. K. CHAKRAVARTY, Presiding Officer

नई दिल्ली, 9 सितम्बर, 1997

का. मा. 2523.— मौद्योगिक विवाद मिधिनियम, 1947 (1947 का 14) की धारा 17 के मनुसरण में, केन्द्रीय सरकार इलाहाबाद बैंक के प्रबंधतंत्र के संबद्ध नियोजकों भौर उनके कर्मकारों के बीच, भनुबंध में निर्दिट्ट भौद्योगिक विवाद में केन्द्रीय सरकार श्रीद्योगिक श्रिधकरण, कानपुर के पंचपट को प्रकाणित करती है, जो केन्द्रीय सरकार को 8-9-97 को प्राप्त हुआ था।

[संख्या एल-12012/174/92-आई म्रार (वी-II)] सनातन, डैस्क अधिकारी

New Delhi, the 9th September, 1997

S.O. 2523.—In pursuance of Section II of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Allahabad Bank and their workman, which was received by the Central Government on the 8-9-1997.

[No. L-12012|174|92-IR(B-II)] SANATAN, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUS-TRIAL TRIBUNAL-CUM-LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 126 of 1992

In the matter of dispute:

BETWEEN

Assistant General Manager, Allahabad Bank Nadesar, Taksal Theatre Ke Paas, Varanasi

AND

General Secretary, Allahabad Bank Staff Association, 26-A North Malaka, Allahabad.

APPEARANCE:

Sri M. K. Verma for the Management and Sri B. P. Saxena for the Association.

AWARD

1. Central Government Ministry of Labour vide its notification No. L-12012[174[92-LR.(B-2) dated 9-10-92 has referred the following dispute for adjudication to this Tribunal—

Whether the action of the management of Allahabad Bank in respect of melt Katra Branch Allahabad (1) by not deciding the appeal by the appellate authority within a period of two months (2) retering back the case to the disciplinary authority for review of the punishment awarded after seven months and (3) the disciplinary authority amending the earlier punishment awarded vide his subsequent order dt. 13-1-88 in respect of Sh. R. N. Pandey, Bill Collector, was justified? If not to what relief is the workman entitled?

- 2. The concerned workman R. N. Pandey was admittedly working as Bill Collector at Katra Branch Allahabad of the opposite party Allahabad Bank. He was issued a chargesheet dated 24-2-86. According to which he had committed two acts of misconducts by way of late coming to office and not complying with the orders of superior authorities. After completing enquiry, the enquiry officer submitted report dated 19-3-87 holding that charge was proved. After issuing usual show cause notice, the disciplinary authority that is Regional Manager proposed the punishment of lowering of two increments in the time scale of pay which was followed by order dated 6-4-87. The concerned workman preferred appeal before A.G.M. on 21-5-87. The appellate authority set over the matter for about 7 months hence matter of punishment was carried before ALC(C) Allahabad. During the pendency of this proceeding, the appellate authority decided appeal on 21-12-87 and held that although lowering of two increment in the time scale was not justified. Yet instead of finally deciding the appeal itself the appellate authority had remitted the matter to the disciplinary authority. Thereafter the disciplinary authority once again passed order by way of stoppage of two further increments. Feeling aggrieved he has raised the instant industrial dispute.
- 3. In the claim statement it has been alleged that the action of the appellate authority in not deciding the appeal within two months is bad and further the appellate authority ought to have decided the matter itself, and no right to remand the matter to the disciplinary authority.
- 4. In the reply the management has alleged that the appellate authority had every right to remand the matter.
- 5. Thus there are two questions which calls for determination. The first is as to whether deciding of appeal within two months is mandatory and the second point is as to whether the appellate authority

has got right of remand. The answer to both these issues can be found in clause 19.14 of First Bipartite Settlement as modified by Third Bipartite Settlement dt. 31-1-79. Para two of this clause runs as under—

The appellate authority shall if the employee concerned is so desirous in case of dismissal hear him or his representative before disposing of the appeal in cases where hearing are not required, an appeal shall be disposed of within two months from the date of receipt thereof. In cases where hearings are required to be given and requested for, such hearing shall commence within one month from the date of receipt of the appeal and shall be disposed of within one month from the date of conclusion of such hearings. The period within which an appeal can be preferred shall be 45 days from the date of which the original order has been communicated in the writing to the employee concerned.

It is true that in the above mentioned provision of settlement the appellate authority is required to lecide the appeal within two months of its preference. However, I am of the view that this stipulation of period is not mandatory. Instead it is directory as the consequence of not deciding the appeal within two months have not been given in this provision. Accordingly if the appellate authority has not decided the appeal within two months of its preference it will not vitiate the order of appellate authority.

- 6. A careful perusal of above mentioned provision would further go to show that appellate authority has been vested with the power to dispose of appeal. No specific power of remand has been given in it. As in the case of common law courts such powers are usually specifically given to such case. Power of remand to case cannot be taken to be part of its right. Further when the provision of agreement says that appellate authority is to dispose of the appeal, it implies that the case is to be finally decided. In this way the power of remand of the appellate authority stand eliminated. However, when we go into the factual position of the case, in my opinion, having found that punishment imposed by the disciplinary was not justified, the appellate authority should himself have awarded the punishment which he ought just and proper. When such a punishment was found unjustified nothing more was left to be done than to substitute its own order for punishment. Thus both legally and factually the appellate authority has committed error in remanding the case.
- 7. Accordingly my award is that by not deciding the appeal within two months of its preference the appellate order does not stands vitiated. Still this

exercise of power by way of remand is not justified. Accordingly instead of passing any final order I hold that final punishment of the concerned workman is bad in law and the matter is sent back to appellate authority to decide the appeal of the concerned workman within two months from the date of publication of award failing which the punishment imposed by the disciplinar yauthority shall stand inoperative.

S. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 9 सितम्बर, 1997

का. श्रा. 2524.—श्रीद्योगिक विवाध श्रधिनियम, 1947 (1947 का 14) की धारा 17 के श्रनुसरण में, केन्द्रीय सरकार पंजाब नेशनल बैंक के प्रबंधतल्ल के संबद्ध नियोजकों श्रीर उनके कर्मकारों के बीच, श्रनुबंध में निर्धिष्ट श्रीद्योगिक विवाद में केन्द्रीय सरकार श्रीद्योगिक श्रधिकरण कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-9-97 को प्राप्त हुआ सा।

[संख्या एल-12012/216/94-प्राई प्रार (बी-II)] सनाप्तन, बैस्क अधिकारी

New Delhi, the 9th September, 1997

S.O. 2524.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Punjab National Bank and their workman, which was received by the Central Government on the 8th September, 1997.

[No. L-12012/216/94-IR(B-I)] SANATAN, Dook Officer.

ANNEXURE

BEFORE SHRI B. K. SRIVASTAVA, PRESIDING OFFI-CER, CENTRAL GOVERNMENT INDUSTRIAL TRIBU-NAL-CUM-LABOUR COURT, DEOKI PALACE ROAD, PANDU NAGAR, KANPUR

Industrial Dispute No. 99 of 1994.

In the matter of dispute between:

B. P. Saxena Member Central Committee U.P. Bank Employees Uzion 426-W-2 Basant Bihar Kanpur,

AND

Regional Manager Punjab National Bank Birhana Boad Kanpur.

APPEARANCES:

Shri B. P. Saxena for the workman, Shri S. Kapoor for the Management.

AWARD

1. Central Government Ministry of Labour New Delhi vide its notification No. L-12012|216|94-LR. B-2 dated 21-11-94 has referred the following dispute for adjudication to this Tribunal:

Whether the action of the management of Punjab National Bank, Kanpur in imposing the punishment of stoppage of three increments on Shri A. S. Chaturvedi, Clerk-Cum-Typist vide their order dated 2nd March, 1993 is justified If not, what relief is the said workman entitled to?

- 2. The concerned workman A. S. Chaturvedi was working as savings Fund Incharge at Branch Office Auraiyya of opposite party Punjab National Bank. On 27-3-87, he was served with the following two charges:
 - 1. On 13-9-36 you were advised by the Branch Manager to attend court at Etawah on 15-9-86 and to had over your charge to Sri R. D. Tripathi, Clerk Cashier at Bo: Auriyya. However, you have not handed over the charge to Sri R. D. Tripathi on 13-9-86 whereas during your incumbancy as Saving Fund Incharge, you removed cheque leaf bearing No. PYO 969100 of the above noted cheque books and thus with your conivance the said cheque was passed fradulently for Rs. 25000- on 15-9-86 from the saving fund A|C No. 356 of Smt. Jai Devi Mishra and thus you indulged in an act which is prejudicial to the interest of the bank.
 - 2. On 28-1-87 while you are officiating as Current Incharge a cheque bearing No. PTO 656756 dated 28-1-87 favouring M|s Prabhu Dayal Ram Dutt for Rs. 2,046|67 paise drawn by M|s Radhey Shyam Harish Chandra in their current Account No. 338 was passed by you to Shri Ram Prakash knowingly that he is not Sri Ram Prakash but he is Sri Chandra Prakash Misra and thus with your conivance the said amount of Rs. 2,046.67 was fradulently paid and you acted in a manner which is prejudicial to the interest of the bank.

Earlier one P. V. Joshi was appointed as Enquiry Officer. After his transfer S. K. Prida, Assistant Manager was appointed as Enquiry Officer. After completing enquiry he submitted his report on 30-9-91 holding that both the charges were proved. On the basis of this report vide order dated 30-3-92, notice was issued to show cause as to why he should not be dismissed from service. Lateron by order dated 10-6-92 he was dismissed from service. The concerned workman preferred appeal. The appellate authority held that Charge No. 1 was proved whereas Charge No. 2 was not proved. Accordingly, the punishment was also reduced from dismissal to stoppage of three increment. Feeling aggrieved he has raised the present industrial dispute. Once again in the claim statement the fairness and propriety of domestic enquiry was questioned which fact was denied by the opposite party. Accordingly a preliminary issue regarding fairness and propriety of domestic was framed. Vide finding dated 19-2-97 it was held that enquiry was not fair and proper. The Charge No. 1 was not proved because of absence of evidence of R. D. Tripathi. There upon the management was given opportunity to prove the misconduct on merits,

- 3. In order to prove this charge the management examined Senior Manager MW (1), Godhan Singh MW (2), and Ram Dass Tripathi MW (3). Further the management has relied upon Ext. M-1 to Ext. M-34 relating to enquiry matter and document filed therein In rebuttal there is evidence of concerned workman WW (1).
- 4. Arjun Singh MW (1) has stated that he remained posted at Auraiyya branch as branch Manager from 14-2-86 to 20-6-89. He has stated that during office hours box containing cheque book remained with Section Incharge or Saving Fund and current Account Incharge. After office hours it is kept in strong room. He is further stated that house of concerned workman is quite close to the house of account holder Smt. Jai Devi Misra. Thus it will be seen that his evidence does not inculpate. Godhan Singh MW (2) has stated that he was looking after Saving Fund and ledger receipt on 13-9-86. Ext M-16 which contain his opinion regarding signature of concerned workman on the receipt of issue of cheque. Ram Dass Tripathi is the clerk-cum-cashier he has stated that had not given him the charge of Saving Fund seat. In other words he was not given cheque book from which money from the account of Smt. Jai Devi Misra was withdrawn. Thus the Bank has filled up the short comings due to which the enquiry report was set aside. On the other hand A. S. Chaturvedi stated that he had not removed cheque leaf No. PYO 969100 from the bank. He has also stated that he has not withdrawn Rs. 25,000. Thus this witness did not properly rebut the evidence of R. D. Tripathi MW (3), that cheque books containing the leaf book in question was not handed ever by the concerned workman to him. Hence it is esta-

blished that the concerned workman had with held the cheque book containing leaft No. PYO 969100. If he had not done so inspite of direction of Branch Manager his malafide intention become obulous. It is matter of common knowledge that there can not be direct evidence of fraud. It can be gathered from circumstances when the concerned workman did not hand over the cheque containing the leaf No. PYO 969100 it can be safely inferred that it would have been utilised within the knowledge of concerned workman. Hence he should be deemed to be involved in the fraudulently withdrawn of Rs. 25,000 from the account of Smt. Iai Devi, Accordingly in my opinion that charge No. 1 is proved.

5. Hence in view my above finding my award is that punishment of concerned workman by way of stoppage of three increments by order dated 2-3-93 is justified and the concerned workman is not entitled for any relief.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 9 सितम्बर, 1997

का. श्रा. 2525.— श्रौद्योगिक विवाद श्रिधिनियम, 1947 (1947 का 14) की धारा 17 के श्रनुसरण में, केन्द्रीय सरकार श्रांध्रा बैंक के प्रबंधतंत्र के संबद्ध नियोजकों श्रौर उनके कर्मकारों के बीच, श्रनुबंध में निर्दिष्ट श्रीद्योगिक विवाद में केन्द्रीय सरकार श्रौद्योगिक श्रिधकरण, कानपुर के पंचपट को प्रकाणित करती है, जो केन्द्रीय सरकार को 8-9-97 को श्रोप्त हुआ था।

[(संख्या एत-12012/218/94-माई मार (बी-2)] सनातन, बैस्क मधिकारी

New Delhi, the 9th September, 1997

S.O. 2525.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (4 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annekure, in the industrial dispute between the employers in relation to the maagement of Andhra Bank and their workman, which was received by the Central Government on 8-9-1997.

[No. L-12012/218/94-IR (B-II)] SANATAN, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 92 of 1994

In the matter of dispute:

BETWEEN

Suresh Chandra Sahu 226 Mirapur Allahabad

AND

Branch Manager Andhra Bank 92 Johnstonganj Allahabad.

APPEARANCE:

B. P. Saxena—for the workman and Amrik Singh—for the Management Bank.

AWARD

1. Central Government, Ministry of Labour, vide its Notification No. L-12012/218/94-I.R. (B-II) dated 8-11-94, has referred the following dispute for adjudication to this Tribunal—

Whether the action of the management of Andhra Bank Allahabad in terminating the services of Sri Suresh Chand Sahu, Waterboy w.e.f. 1-7-93 is justified? If not to what relief is the said workman entitled to?

- 2. The case of the concerned workman Suresh Chand Sahu is that he was engaged by the Branch Manager of the opposite party Andhra Bank at Johnstonganj Branch at Allahabad on 15-3-84 as a peon. Although he was engaged for two hours, work for whole day was taken from him as a peon. Earlier he was paid Rs. 60 per month. Thereafter his pay was enhanced to Rs. 100 per month. His services have been wrongly dismissed w.e.f. 30-9-94 in utter branch of Section 25-F of I. D. Act.
- 3. The opposite party bank has filed reply in which it has been alleged that the concerned workman was not engaged as a peon at all. Instead during the period of shortage of water he was asked to supply water for which he was paid remuneration. He never worked as a peon. Further he did not work since 1986.
 - 4 In the rejoinder nothing new has been said.
- 5. In support of his case the concerned workman has adduced his evidence and has stated that he had continuously worked upto 30-9-94 from 15-3-84. This fact has been denied by A. K. Kapila a clerk of the opposite party. His evidence is that concerned workman did not work in the month of May and June 1993 at all. There is Ext. M-16 copy of letter dated 1-4-86 given by the concerned workman to the branch manager informing that how he has joined a shop hence he could not be able to supply water at the branch As such his resignation be accepted and in his place his brother Dinesh may be engaged. The genuineness of this letter has not been disptued. In view of this letter alone I disbelieve the version of the concerned workman and hold that he did not work for more tan 240 days continuously from the date of his termination. Hence question of breach of Section 25-F does not arise. Accordingly the so called termination is also not bad and the concerned workman is not entitled for any relief.

Dated: 3-9-1997

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 9 सितम्बर, 1997

का. भा. 2526. — भौद्योगिक विवाद म्रधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सिंडिकेट बैंक के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट भौद्योगिक विवाद में केन्द्रीय सरकार भौद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाधित करती है, जो केन्द्रीय सरकार को 8-9-97 को प्राप्त हुआ।

[संख्या एल-12012/406/94-माई.न्नार.(बी-II)] सनातन, जैस्क अधिकारी

New Delhi, the 9th September, 1997

S.O. 2526.—In pursuance of Section 17 of the Industrial Disputes Act. 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Syndicate Bank and their workman, which was received by the Central Government on 8-9-1997.

[No. L-12012/406/94-IR (B-II)] SANATAN, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA PRESIDING OFFICER CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM LABOUR COURT PANDU NAGAR DEOKI PALACE ROAD, KANPUR

Industrial Dispute No. 60 of 1995

In the matter of dispute:

BETWEEN

Suraj Kumar

S/o Felly Ram R/o Bohalla Bariwala P.O. Sadabad, Mathura.

AND

Dy. General Manager
 Syndicate Bank
 Z.O. 43/28 Nawal Kishore Road,
 Skylark III Storey Lucknow.

AWARD

1. Central Government. Ministry of Labour, vide its Notification No. L-12012/406/94-J.R. (B-II) dated 30th May, 1995, has referred the following dispute for adjudication to this Tribunal—

Whether the action of the management of Syndicate Bank Lucknow in terminating the services of Shri Suraj Kumar, Sub-staff w.e.f. 31-10-93, is legal and justified? If not to what relief is the said workman is entitled?

- 2. The case of the concerned workman Suraj Kumar is that he was appointed as messenger/attender at Sadabad Branch of the opposite party Syndicate Bank on 3-2-92. He continued to work upto 31-10-93, when his services were dispensed with without observing provisions of Section 25-F of I.D. Act as he has completed for more than 240 days in a year. There has also been breach of Section 25-F of I. D. Act as Jai Prakash appointed and no opportunity was given to him.
- 3. The opposite party has filed reply in which it is alleged that concerned workman was engaged as temporary part time sweeper/attender. He did not work continuously between 3-2-92 to 5-11-92. He has worked only for 196 days, as such provisions of Section 25-F of 1. D. Act are not applicable. It is also alleged that plea regarding 25-H of I. D. Act has not been referred hence it cannot be entertained.
- 4. In the rejoinder it is defied that concerned workman was engaged a sweeper/attender on part time basis.
- 5. In support of his case the concerned workman has examined as Suraj Kumar WW-1 besides Ext. W-1 to W-3, documents were filed. Whereas the management did not adduce any evidence, inspite of opportunity having been given to them.
- 6. The first point which needs consideration as to whether the concerned workman was a parttime attender/sweeper having been engaged in leave vacancy. No documents has been adduced by the management to prove this fact. On the contrary the concerned workman as WW-1 has denied this fact. Apart from it, in this case there is Ext W-2 a letter written by manager to Divisional Manager. Agra, on 27-9-93, in which it has been lamented that in this branch there is strength of three persons to the posts of attenders. Out of them Brijendra Singh has been deputed to carry slips and ledgers because of his poor health. The remaining work of filing, cash stitching despatch, visit to State Bank of India is being carried out by the concerned workman and one Amar Singh. This admission on the part of Manager goes to show that the concerned workman was attending the work of regular nature and he was not a mustor roll sweeper or attender. He had even not worked in leave vacancy. Instead he was working in a clear vacancy. Thus my finding is that the concerned workman was working on a regular rost and was doing the work of permanent nature as attender.
- 7. The second point is as to whether he has completed 240 days in a year. In this regard there is unrebutted evidence of Suraj Kumar WW-1. Apart from this there is Ext. W-3, an application which goes to show that concerned workman had worked for 286 days. Thus this paper also goes to believe the version of the management. Accordingly, it is held that the concerned workman had completed 240 days when he was removed from service. Admittedly he had not been paid retrenchment compensation and notice pay at the time of removal from service, hence there has been breach of Section 25-F of I. D. Act. Accordingly, the removal from service of the concerned workman is bad in this regard.

- 8. The case of the concerned workman regarding breach of Section 25-H of I. D. Act is not being considered as it has not been specifically referred.
- 9. In the end my award is that the termination of the concerned workman from service is bad in law being in breach of Section 25-F of Industrial Disputes Act, 1947, and the concerned workman is entitled for reinstatement with back wages.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 9 सितम्बर, 1997

का. आ. 2527. --- श्रीबोनिक विवाद श्रिधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, कन्द्रीय सरकार सेंट्रल बैंक भाँफ इंडिया के प्रबन्धतंत्र के संबद्ध नियोजकों श्रीर उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट श्रीबोनिक विवाद में केन्द्रीय सरकार श्रीबोनिक श्रिधकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-9-97 को प्राप्त हुआ था।

[संख्या एल-12012/423/92-आई. श्रार.(बी.-][[]]] सनातन, जैस्क श्रीधकारी

New Delhi, the 9th September, 1997

S.O. 2527.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Central Bank of India and their workman, which was received by the Central Government on 8-9-1997.

[No. L-12012/423/92-IR (B-II)] SANATAN, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT PANDU NAGAR, KANPUR

Industrial Dispute No. 25 of 1993

In the matter of dispute:

BETWEEN

General Secretary,
Central Bank Employees' Union,
134, L. Block, Panki, Kanpur.
AND

Regional Manager.

Central Bank of India.

Pandu Nagar, Kanpur.

APPEARANCE :

Ramji Gupta-for the Union and Rakesh Tandon-for the Management.

AWARD

1. Central Government, Ministry of Labour, vide its Notification No. L-12012/423/92-I.R. (B-II), dated 12-3-93. has referred the following dispute for adjudication to this Tribunal—

Whether the claim of the Central Bank Employees' Union (UP) that Sri Jeevan Lal is entitled to be appointed as Driver from the date of declaration of result of other selected and appointed candidates is justified? What relief if any is Sri Jeevan Lal entitled to?

2. There is no dispute that the concerned workman was working as Daftari at Regional Office Kanpur of the opposite party Central Bank of India. In terms of circular No. ZO/PERS/RM/90-91/2110 dated 4-12-90, some vacancies ef

drivers were notified for which test took place in which the concerned workman Jeevan Lal also participated. At that time the first vacancy was existing in Pandu Nagar Branch. In that result the concerned workman was placed at third place, consequently the person whose name figured at the first place was given this jcb. After about six months another job of driver came into existence in Ballia. Hence the concerned workman was asked to join there. Thereupon he has raised the instant industrial dispute with the averment that according to above mentioned circular dated 4-12-90 peons of the bank were to be given priority in the matter of appointment. Further the process of selection of driver is bad. It is further alleged that the management ought to have prepared two separate list one relating to departmental candidates and the other from open market. As it has not been done and as the concerned workman was the first departmental candidate in the select list he oguht to have been given appointment at Kanpur. The action of the management in giving him appointment after six months of the date of declaration of the result is bad in law.

- 3. The opposite party in reply has denied that according to circular dated 4-12-90 two select list were to be prepared and that departmental candidate was to be given preference. In fact a combined test was held in which the concerned workman was placed at serial No. 3 and that when vacancy at Ballia occurred he was given offer.
- 4. From the above it will be seen that the claim of the concerned workman rests on the contents of circular dated 4-12-90. The management has filed the entire file relating to recruitment of drivers. I have also gone through the circular dated 4-12-90. According to which personal drivers of the bank's executive with three years continuous services were eligible, others were also to be eligible whose age did not exceed 40 years. Further the candidate was required to possess educational qualification to the extent of 8th Class Pass. The record further reveals that the opposite party bank had got test of drivers carried out through the agency of U.P. Automobile Association of Lucknow. They had forwarded a list on the basis of test dated 30-12-90. According to this test Om Prakash stood first whereas Jeevan Lal stood third. There is nothing in this circular to show that departmental candidates were to be given preference of two select list were to be prepared.
- 5. In view of this state of affairs the claim of the concerned workman that he was entitled for preference is not correct. Further I find that the management had carried out the test through an independent agency. Further no mode of holding test had been prescribed else were. Hence, under the circumstances the bank had adopted a reasonable approach in recruitment of driver.
- 6. In view of above discussion, my award is that the concerned workman is not entitled for appointment as a first candidate. Hence he is not entitled for any relief.

Dated: 4-9-1997

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 9 सितम्बर, 1997

का.श्रा. 2528.— ग्रीद्योगिक विवाद ग्रिधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बैंक ग्रॉफ बड़ोदा के प्रबन्ध तंत्र के संबद्ध नियोजकों ग्रीर उनके कर्मकारों के बीच, अनुबन्ध में निर्दिष्ट ग्रीद्योगिक विवाद में केन्द्रीय सरकार भौद्योगिक ग्रिधिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-9-97 को प्राप्त हुआ था।

[संख्या एल-12012/536/88-डी-][ए/ग्राई.श्रार.(बी -II)] सनातन, डैस्क ग्रीधकारी

New Delhi, the 9th September, 1997

S.O. 2528.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government

hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Bank of Baroda and their workmen, which was received by the Central Government on 8-9-97.

> [No. L-12012/536/88.D-IIA/IR(B-II)] SANATAN, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT PANDU NAGAR, DEOKI PALACE ROAD KANPUR

Industrial Dispute No. 74 of 1989.

In the matter of dispute:

BLTWEEN

Sri P. N. Tiwari,
General Secretary,
U. P. Bank Employees Union,
165 Sohbatia Bagh.
Allahabad.

AND

Regional Manager,
Bank of Baroda,
Allahabad Region,
Civil Lines Allahabad.

APPEARANCE:

V. K. Crupta—for the management and B. P. Saxena—for the Management.

AWARD

- 1. Central Government, Ministry of Labour, vide its notification No. i.-12012/536/88-D2(A) dated 23-3-1989 has referred the following dispute for adjudication to this Tribunal:—
 - Whether the action of the management of Bank of Baroda in awarding two punishment at a time on similar charges in the form of stoppage of one increment as well as stopping two increments with cumulative effect to Sri Awadhesh Kumar Sonl vide order dated 30-6-82 is justified? If not to what relief the concerned workman is entitled to?
- 2. It may be mentioned that file was reserved for recording finding on preliminary issue regarding fairness and preprietory of domestic enquiry. Having gone through the file I am going to record a finding that enquiry was fairly and properly held. In this case as the punisment is less than dismissal or removal from service, in exercise of powers under section 11-A of I.D. Act. this Tribunal cannot go into the proportionality of punishment. Hence there will be no need for fixing the date of arguments on the question of quantem of punishment. It is because of this that final award is being given.
- 3. The case of the concerned workman is that he was appointed as accountant cum cash clerk by the opposite party bank of Baroda at Khuldabad Branch, Allahabad of the opposite party bank on 31-12-76. He was issued a charge-sheet dated 18-3-1981 which runs as under:—
 - 7. "You have taken an advance of Rs, 900/- on 27-12-79 for availing L.F.C. You have neither submitted any bill nor deposited back the advance taken from suspense account, in spite of repeated verbal requests by the Branch Manager, you have deposited Rs, 360 on 12-8-80 and Rs. 200 on 6-11-80 and inspite of written instruction vide letter No. UP/STF/2/640 dated 10-11-80 suspenss account was not adjusted till on 12-11-80 when you deposited Rs. 350/-.
 - (a) You were alloted the duties of the receiving Cashier under the job retation done by the branch w.e.f. 9-7-80. On 11th Nov. 1980 you reported the duties at the branch at 10.30 A.M.

instead of 10.00 A.M. On being asked by the Accountant verbally to attend Cash receipt counter as many parties were waiting for depositing cash, You refused to work on the cash receipt counter alioted to you and pleaded that you will not work on the cash receipt counter and that you should be taken out from the cash deptt. On being called by the branch manager inside his cabin in the presence of the Accountant, you again retused to work on the cash receipt alloted to you. You did not obey the oral instructions of the branch manager as well as that of the Accountant.

- (b) When you were advised in writing by the branch manager vide letter No. BR/2/STF/661 dated 11-11-80 and after going through the letter you refused to accept it in the presence of oforesaid.
- (c) On the same date i.e. 11-11-80 at about 1.30 p.m. you approached the Accountant for more other work and it was not agreed as you refused to work in each receipt counter and that you have not worken for the whole day & disrupted the month working of the branch.
- On 12-11-80 you refused to attend cash receipt counter even when asked you im writing vide branch letter No. BR/STF/2/670-676 both dated 12-11-80 you after going through the contents refused to accept these letters. Thus you have not work? on 12-11-80 also,"

One Prabhat Agrawal an officer of the bank was appointed as enquiry officer. After completing enquiry he submitted his report on 3-6-82. A show cause notice was issued on 14-6-82 which was followed by an order of punishment of 30 6-82 by which he was awarded punishment of stoppage of one increment in respect of charge no. 1 and stoppage of two increments in respect of charge nos. 2(a)(b)(c) and 3. Appeal preferred by the concerned workman was also dismissed on 12-4-83. Feeling aggrieved, the concerned workman has raised the instant industrial dispute.

- 3. In the claim statement the concerned workman has alleged that enquiry was not fairly and properly held and reasons in details have been given.
- 4. The opposite party in the written statement has denied this fact and has maintained that enquiry was fairly and properly held. Accordingly preliminary issue regarding toirness and proprietory of domestic enquiry was framed.
- 5. The authorised representative of the concerned workman has pointed fellowing facts in support of his contention. In the first place it is alleged that enquiry officer was not properly appointed. In the second place it is alleged that on 13-10-81, the authorised representative could not come, yet proceedings were drawn, on 15-12-81 a case was fixed in the court of CJM Allahabad, the workman applied for adjournment but the same was not granted. Lastly it is alleged that for recording the evidence of management witness hearing were held at Allahabad, whereas for recording evidence of the defence, hearing was held at Lucknow. It was done to harras the concerned workman.
- 6. The reply of the opposite party is that enquiry officer was properly appointed. A perusal of chargesheet would go to show that Prabhar Kumar was appointed by Regional Manager Lucknov. According to Bipartite Settlement Regional Manager is the disciplinary authority, hence in my opinion, the enquiry officer was properly appointed. There is no force in this plea
- 7. In the second place it was urged that on 13-10-81 Defence representative could not come vet case was not adjourned. I have gone through the proceedings dated 13-10-81. On that day cross examination of R. P. Srivastava M.W.I was carried out. There is nothing in the proceeding of this record to show that the concerned workman had asker for postponnent of the case and the same was refused. In view of this, I do not find any substance in the contention of the concerned workman that the case was not adjourned because of absence of defence representative as no such request was made at all.
- 8. Next it was pointed out that on 15-12-81, the case was not adjourned on his request as his case was already fixed

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in the court of C.J.M. Allahabad. A perusal of proceedings of 15-12-81 would go to reveal that neither defence representative nor the concerned workman was present, hence cross-examination of A. Goswami, M.W. 3 was concluded on that very day. There was nothing on record to show that the applicant had actually applied for adjournment of case as his case being fixed in the court of CJM Allahabad. If it was so the concerned workman ought to have applied adjournment and had the enquiry officer not adjourned the case there would have been substance in his contention. In the absence of any request, I think the enquiry officer was justified in proceeding ex parte. On any case when the case was taken up on next date the concerned workman could have made a request for cross-examining A Goswami M.W.3. Thus he cannot be allowed to take advantage of his own in action.

- 9. Now this tribunal of its own will examine if the enquiry report is perverse or not.
- 10. In order to prove the misconduct enquiry officer had examined R. P. Stivastava, Manager of the bank as M.W.1, N. Chandra Shekhar Nair, M.W. 2, and A. Goswami, Accountant, M.W. 3, to prove the facts relating contents of non-depositing the money in respect of unavailed LFC and has also proved that the concerned workman had refuse to abide by the order of branch manager to attend to cash receipt counter. N. Chandra Shekhar Nair M.W.2 has proved the charge No. 1 relating to non deposit of money of LFC inspite of direction of Branch Manager. A Goswami M.W.3 is the accountant. He too has stated that workman was asked to attend the cash counter but he declined to do so. Besides management has relied upon Exts. M-1 to M-23.
- 11. In defence the concerned workman has examined himself as W.W.1 Munni Lal D.W.2 and B. D. Mishra D.W.3. Concerned workman has stated that he could not avail LFC because of illness of his father and he did not deposit money as he was asked by the branch manager not to deposit. Munni Lal D.W.2 and B. D. Mishra D.W.3 have tried to prove that the concerned workman was busy in sorting out notes on 11-11-80 which was part of his duty. In other words from this evidence it has been sought to prove that as the concerned workman was busy in doing duty for which he was posted there, he could not be asked to altend to cash receipt counter. Having gone through the evidence, I am of the opinion that the evidence of the concerned workman regarding charge no. I is after thought whereas evidence of management is proved from the own conduct of the concerned workman. As regards refusal to attend to cash receipt counter and subsequent order in writing the evidence of management witness is not rebutted from the evidence of management witness is not rebutted from the evidence of A. K. Soni D.W.1 at all. Hence my finding is that the enquiry officer had taken correct view of the matter and in this way finding does not suffer from any infirmity.
- 12. Lastly, it was alleged that the concerned workman was harrased by fixing date at Lucknow, when his turn for adducing evidence come. On the other hand the witness of the management were examined at Allahabad. In my oninion question of harrasment does not arise as if the date of hearing was fixed at Lucknow for certain reasons the concerned workman could have claimed T.A. and D.A. in respect of himself and witness.
- 13. As a result of feregoing discussions, it is held that the enquiry was fairly and properly held. As the punishment is less than dismissal or removal from service, this tribunal cannot look into the quantum of runishment.
- 14. Accordingly my award is that awarding of purishment as formulated in the reference order is justified and the concerned workman is not entitled for any relief.

B. K. SRIVASTAVA, Presiding Officer

नई डिल्ली, 9 सितम्बर, 1997

का. या. 2529:— श्रीद्योगिक विवाद श्रधिनियम, 1947 (1947 का 14) की धारा 17 के धनसरण में, केन्द्रीय सरकार बेतवा नदी परिषद, सांसी के प्रबन्धतंत्र के संबद्ध नियोजकों श्रीर उनके कर्मकारों के बीच, श्रनुबन्ध में निर्दिष्ट श्रीद्योगिक विवाद में केन्द्रीय सरकार श्रीद्योगिक श्रधिकरण, कानपुर के पंचपट की प्रकाशित करती है, जो केन्द्रीय सरकार की 8-9-97 की प्राप्त हुंश्री था।

> [सख्या एल-42011/1/90-प्राई.ग्रार. (डी. शू.)] के.वी.बी. उण्णी, डैस्क ग्रीधकारी

New Delhi, the 9th September, 1997

S.O. 2529.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Betwa River Board, Jhansi and their workman, which was received by the Central Government on 8-9-97.

[No. L-42011/1/90-IR(DU)] K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE SHRI B. K. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, DEOKI PALACE ROAD, PANDU NAGAR, KANPUR

Industrial Dispute No. 211 of 1990

In the mater of dispute between:

Ramesh Prasad Srivastava, President, Workcharge Karamchari Sangh, Betwa Nadi Board, Rajghat, District Lalitpur, (U.P.).

AND

Chief Engineer, Betwa River Board, Rajghat Dam Pariyojana, Nandanpura Colony, Jhansi.

APPEARANCES:

Shri Dina Nath Tiwari for the workman. Shri S. K. Verma for the management.

AWARD

- 1. Central Government Ministry of Labour, New Delhi vide its notification No. 42011/1/90-I.R.(D.U.) dated 10-10-90 has referred the following dispute for adjudication to this Tribunal:
 - KYA WORKCHARGE KARMCHARI SANGH, BETWA NADI BOARD, RAJGHAT, ZILA LALIT-PUR, (U.P.) KI BETWA NADI PRISHAD KE SMAST KARYA PRABHAWIT VA DAINIK WETAN BHOGI KARMCHARIYON KI NIUKTI KI THITHI SE KENDRA KE SAMAN WETAN VA SUVIDHAYAN PRADAN KARNA THTA UNEH NIYMIT KARNE KE BANDH KE NIRMAN KE PACHAT BANDH PER KHAPAE RAKHNE KI MANG NAYOCHIT HAI? YDI NAHI TO KARAMCHARI GAR KIS ANUTOSH KE ADHIKARI HAI.
- 2. A perusal of above mentioned reference would indicate that it comprises of two parts. The first part relates to claim of equal pay for equal work by temporary and work-charge employees, with that of regular work. The 2nd part relates to their regularisation on the post on which the work-men of this union are working.
- 3. There is no dispute that Government of India Ministry of Water Resources had constituted Betwa River Board for establishment of conveyor at Rajchat which is almost on border of state of Ultar Pradesh and Madhva Pradesh. This reserveior was to be constructed on Betwa River. This Board was constituted under Betwa River Board Act, 1976 For this construction a pumber of workmen were required to do verving nature of work. According to Pules first preference was to be given to the employees of State of Ultar Pradesh and Madhva Pradesh who wanted to come on denutation to perform these works. If so happended that suffi-

cient number of such employees did not express their will to perform these duties. Hence the Board engaged some person to perform these duties from open market. Some of them were working as workcharge employees and some of them are working as temporary employees almost from the start of this project. In due course they have form their Union. One of these Union is Workcharge Karmchari Sangh, Betwa Nadi Board which has raised this dispute.

- 4. In the claim statement it has been alleged that they have been working at their respective posts from the last 12 to 13 years and the work is permanent nature hence they are entitled for regularisation from the date of appointment. In the 2nd place it was alleged that these workmen are performing same duties which a permanent employee does. Hence they are entitled for Pay and other allowances at par with these of permanent one.
- 5. The opposite has filed written statement in which it has been alleged that the opposite party is not an Industry. Further the opposite party is doing work on a Project. And employee who is engaged to perform duty on a project can not claim regularisation as their tenure would last till completion of project. Further they are not entitled for equal pay and other allowances with that of a regular one.
 - 6. In the rejoinder the above fact have been denied.
- 7. As regards the 1st part of reference regarding claim of regularisation it may be mentioned that this very matter was raised in 1.10. No. 1/90 alongwith several others. This Tribunal vide Award dated 15-7-96 had held that these workmen would be entitled for regularisation after lapse of one year from the date of Award. They are entitled for regularisation from the date of their respective appointments. In view of this Award, there is no need to give another finding on this point.
- 8. As regards 2nd point regarding claim for equal Pay for equal work as against permanent employees, by temporary and workcharge employees. I am of the opinion that they are not entitled for the same till they are regularised. In the case of State of Rajasthan V/s, Kunji Raman 1997 (1) Judgement Today (144) (S.C.) it has been held that workcharge employees is separate and distinct from a regular employee. Hence they can not claim parity with regular employee in respect of any Pay and other benefits. Further in case of State of U.P. V/s. Rameshwar Yadav 1996 I.AB I.C. 1029 it has been held by the Hon'ble Supreme Court that a temporary employee is not entitled for the Pay Scale and other benefits as are available to a regular one. In view of these two authorities I am of the view that the concerned workmen holding status of temporary and workcharge are not entitled for parity in Pay and other benefits with regular
- 9. In view ofabove discussion my award is that workcharge and temporary employees working at Rajghat Dam are not entitled for equal pay and other benefits, at par with regular one. Further no fresh flading is being given regarding their regularisation as it has already been held in earlier Award that they are entitled for regularisation after one year from the date of Award.

R. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 9 सितम्बर, 1997

का. श्रा. 2530:— श्रीद्योगिक विश्वाद ग्रधिनियम, 1947 (1947 का 14) की धारा 17 के धन्मरण में, केन्द्रीय सरकार केन्द्रीय उत्तर मैदानी उद्यान संस्थान, लखनऊ के प्रबन्धनंत्र के संबद्घ नियोजकों श्रीर उनके कर्मकारों के बीच, श्रन्बन्ध में निर्दिष्ट श्रीद्योगिक विवाद में केन्द्रीय सरकार श्रीद्योगिक श्रधिकरण, कानपूर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-9-97 को प्राप्त हथा था।

[संख्या एल-42012/68/93-स्रार्घ. स्नार. (डी यू.) के. बी. भी. उण्णी, डेस्क अधिकारी।

New Delhi, the 9th September, 1997

S.O. 2530.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Kendriya Uttar Maidani Udyan Sansthan, Lucknow and their workman, which was received by the Central Government on 8-9-97.

[No. L-42012/68/93-IR(DU)] K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 104 of 1994

In the matter of dispute between:
Director,
Kendriya Uttar Maidani Udyan Sonsthan,
Indira Nagar,
Lucknow.

AND

M. Shakeel, Secretary, Krishi Karamchari Sabha, U.P., 1, Abdul Aziz Road, Lucknow.

APPEARANCES:

M. Shakeel for the Union and R. M. Shukla for the Management.

AWARD

1. Central Government, Ministry of Labour, New Delhi, vide its notification No. 1.42012/68/93-IR (DU) dated 31st October, 1994, has referred the following dispute for adjudication to this Tribunal:—

Whether the demand of the Union for reinstatement of Sri Ariun with full back wages and consequential benefit w.c.f. 10-7-86 is justified? If not what relief the workman is entitled?

- 2. The case of the concerned workman Arjun is that he was working as unskilled labour from 3-7-80 on Central Institute for Horticulture, Lucknow. On 29-6-86, an F.I.R. was lodged against him in connection with stealing of Mangos at this Centre. It was followed by crime no. 200 of 1986 at P.S. Malihabad under section 382 I.P.C. During the course of this proceeding he was arrested on 10-7-86. Lateron he was released on bail. Ultimately, by judgment and order dated 17-12-90, he was acquitted. Hence he asked for his reinstatement which was refused.
- 3. The opposite party has filed reply in which it is alleged that concerned workman did not work for 240 days in any year. He was muster roll daily rated worker. Due to his arrest he could not join hence his name was deleted from muster roll. As he was not a regular employee question of his reinstatement does not arise.
 - 4. In the rejoinder nothing new has been said.
- 5. It is common case of the parties that the concerned workman was a muster roll daily rated worker. In the case of Registrar of High Court of Judicature at Allahabad versus Shitla Prasad Mishra 1997, 1 UBLBEC (72), it has been held that there can be no reinstatement of a daily rated muster roll employee who had been engaged earlier as a sequel of nendency of criminal case. In my opinion, principle laid down in this case apply with full force to the facts of the present case and in view of this authority alone, the applicant is not entitled for reinstatement.
- 6. Accordingly my award is that the demand of the concerned workman for reinstatement with full back wages w.e.f. 10-7-86 is not justified and he is not entitled for any relief.

B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 9 सितम्बर, 1997

का. श्रा. 2531:--- ग्रीदांगिक विवाद ग्रीधनियम, 1947 (1947 का 14) की धारा 17 के ग्रनुसरण में, केन्द्रीय सरकार आर्डनेन्स फैन्ट्री, कानपुर के प्रवन्धतंत्र के संबद्ध निया-जकों और उनके कर्नकारों के बीच, ध्रमुबन्ध में निर्दिष्ट श्रीद्योगिक विवाद में केन्द्रीय सरकार श्रीद्योगिक शक्षिकरण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-9-97 को प्राप्त हुआ था।

> [मॅक्से एल-14012/37/92-अहि.आर. (इतियः)] के.बी.बी. उण्णा डैस्क श्रीधकारी

New Dolhi, the 9th September, 1997

S.O. 2531.-In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Ordnance Factory, Kanpur and their workman, which was received by the Central Government on the 8-9-97.

> [No. L-14012/37/92-IR(DU)] K.V.B. UNNY, Desk Officer

ANNEXURE

BETCRE SRI B. K. SRIVASTAVA, PRESIDING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Dispute No 78 of 1995

In the matter of dispute:

BETWEEN

Chandra Pal, S/o L. Sri Hari Lal, 121/605 Shastri Nagar, Kanpur

AND

The General Manager, Ordnance Factory, Kanpur.

APPLARANCE:

O. P. Mathur for the workmen and V. K. Gupta for the Management

AWARD

- 1. Central Government, Ministry of Labour, New Delhi, vide its notification no. L-14012/37/92/IR(DU) dated 22-6-95 has referred the following dispute for adjudication to this Tribunal-
 - "Whether the ordnance factory Kanpur is Industry under sec. 2 of I. D. Act? If so whether the action of the management of Ordnance Factory Kanpur in terminating the services of their workmen S/Shri Chandra Pal, Narsingh Prasad and Kailash Nath is justifled? If not, to what relief the workmen concerned are entitled?"
- 2. The case of the applicants Chandra Pal, Narsingh Prasad and Kailash Nath is that they were engaged as permanent labourers in the opposite party Ordnance Factory at Kanpur. They were doing the work of permanent nature and that work is still continuing. All the three applicants were removed from service on 18-9-82 and 23-10-82 respectively. Their termination is bad in law being in breach of section 25F, 25G and 25H of the Act. Further the opp. party definitely is an industry.
- 3. The opposite party has filed reply in which it is alleged that opposite party factory is not an industry as it performs sovereign functions. All the applicants were given fixed term employment for 89 days which come to an end by

efflux of time. In such a case question of applicability of section 25F, F and H does not arise.

In the rejoinder once again the concerned workmen did not give the date of their respective appointments.

- 5. In the absence of any specific date of appointment obviously it cannot be calculated as to whether the concerned workmen had completed 240 days in a year before their termination. In its absence obviously there will be no alternative but to hold that the concerned workmen had not completed 240 days in a year. Hence section 25F cannot be said to have been breached
- 6. Similarly because of absence of date of appointment of the concerned workmen it cannot be determined as to whether any one junior had been retained in service or not.
- 7. As regard the claim of breach of section 25H of I. D. Act there is no specific reference in this regard. In its absence it cannot be adjudicated.
- 8. Lastly, the question of opposite party being an industry may be considered. The management has filed the certified copy of Writ Petition No. 304 of 1974 General Manager Clothing Factory versus Presiding Officer, Labour Court Madras, dated 24-6-74 in which that clothing factory was held to be not Industry. Thereafter Hen'ble Supreme Court has rendered in a celebrated case of Bangalore Water Supply in which a part of government factory in which manual work asking to that of industry run by private person is carried out that portion would fall in the category of industry. In view of this interpretation it is neld that opposite party is an industry.
- 9. I also find that this claim is highly belated. Termination took place in 1982 whereas dispute has been raised in There is no explanation of this delay.
- In view of above discussion it is held that termination of the concerned workman are not bad in law and they are not entitled for any relief.

B K SRIVASTAVA, Presiding Officer

नई दिल्ली, 10 सितम्बर, 1997

2532:--- प्रौद्योगिक विवाद प्रधिनियम, का. फ्रा. 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सब डिबीजनन प्रांफिसर टेलीकांम, जगी-त्याल, डिस्ट्क्ट-हरीमनगर के प्रबन्धतंत्र के संबद्घ नियोजकों श्रीर उनके कर्मकारों के बीच, प्रन्बंध में निर्दिष्ट श्रीधोशिक विवाद में औद्योगिक अधिकरण, दैदराबाद के पंचाट की प्रकाशित करती है, जो केन्द्रीय संस्कार को 10-9-97 को प्राप्त हम्रा था।

> [सं. एल-40012/10/95--- अर्थं आर (डी यू)] के. बी. बी. उण्णी, डैस्क अधिकारी

New Delhi, the 10th September, 1997

S.O. 2532.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Hyderabad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Sub-Divisional Officer, Telecommunications, Jagtiyal, Dist. Karimnagar and their workman, which was received by the Central Government on the 10-9-97.

[No. L-40012/10/95-IR(DU)] K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL-I, AT HYDERABAD

PRESENT:

Sri V. V. Raghavan, B.A.,LL.B., Industrial Tribunal-I.

Dated: 4th day of August, 1997

INDUSTRIAL DISPUTE NO. 40 OF 1996

BETWEEN

Sri A. Rajamouli, Area Sceretary, All India Telecom Employees Union, Line Staff and Group 'D' Warangal Area,

H. No. 6-1-4, Ashoknagar, Karimnagar 505 001.

AND

The S.D.O. Telecommunication, Jagtiyal-505 327.

Respondent.

Appearances :--

Sri C. Suryanarayana, Advocate for the petitioner. Sri P. Damodar Reddy, Advocate for the Respondent.

AWARD

The Govt. of India, Ministry of Labour, New Delhi by its order No. L-40012/10/95-IR(DU) dt 27-3-96 referred the following dispute under section 10(1)(d) and 2A of Industrial Disputes Act, 1947 for adjudication

"Whether the Sub-Divisional Officer, Telecommunication, Jagtiyal, District Karimnagar is justified in terminating the services of Shri N. Nageswara Rao? If not, to what relief the workman is entitled to?" Both parties appeared and filed their pleadings.

- 2. The workman Sri N. Nageswara Rao, hereinafter called as 'Petitioner' filed a claim statement contending as follows: The petitioner was recruired on 1-5-85 and continued upto 30-4-87 except in November, 1986. He worked total period of 683 days. He was terminated with effect from 1-5-1987. Several High Court's held that a workman worked in continuous period of more than 240 days he is entitled to regularisation. The said decisions were confirmed by Supreme Court in judgement dt 17-4-90 in W.P. (C) No. 1280/89 and batch. As per the D Cr's order dt, 1-10-84 if a workman worked for more than 240 days is sought to be retrenched he should be given one month notice or pay one month wages in lieu thereof. The respondent did not follow the mandatory provisions of I.D. Act, in this case. Hence the petitioner is entitled to reinstatement with back wages and other attendant benefits.
- 3. The respondent filed a counter contending as follows: One of the duty of the state is to provide Telecommunication service to the General Public and an amenity and so it is one essential part of the sovereign functions of the State as a weltare state. Therefore the department of telecommunication is not an industry and the provisions of the I.D. Act, are not applicable to the respondent-department. The petitioner was not recruited on regular basis. He was recruited on daily wages. The petitioner is gainfully employed and also engage himself in other profitable avocations for all these years. The petitioner is not entitled to any relief.
- 4. The learned Advocate for the Respondent-Management requested this Tribunal to decide the legality of the reference as a preliminary point, in view of the fact that the Supreme Court held that the Tolecommunication Department is not an industry within the meaning of Section 2(j) of the I.D. Act, 1947.
 - 5. Both the parties are heard on the point.
- 6. The point for consideration is whether this Tribunal has got jurisdiction to adjudicate the dispute ?
- 7. POINT:—the petitioner-workman was employed in the Tolecom Department. The Government of India made a re-

forence to this Tribunal treating the Telecom Department as an industry and the petitioner as a workman coming within the purview of the Industrial Dispute Act the Supreme Court in Sub-divisional Inspector of Posts, Vaikam and Others Vs. Theyyam Joseph etc. (1996 LLR Page 483), while deciding the case of the postal Department which is a part of Telecom Department, held as follows:

"Having regard to the contentions, the question arises whether the appellant is an industry? India as a sovereign socialist, secular democratic republic has to establish an egalitarian social order under rule of law. The welfare measures partake the character of sovereign functions and the traditional duly to maintain low and order is no longer the concept of state. Directive principles of state policy enjoin in the state diverse duties under part IV of the constitution and the performance of the duties are constitutional functions. One of the duty is of the state to provide a telecommunication service to the General public and an amenity, and to is one essential part of the sovereign functions of the state as a welfare state. It is not, therefore, an industry?"

In view of the specific findings of the Supreme Court. Telecom Department is not an industry and this Tribunal has no jurisdiction to adjudicate upon the dispute between the Government Department and its employee. There cannot be Industrial Dispute and so this Tribunal cannot entertain the dispute, if any between the petitioner and the Respondent.

8. I, therefore, held that this Tribunal has no jurisdiction to entertain this dispute and the petitioner is not entitled to any relief in this Tribunal

An Award is passed accordingly.

Given under my hand and the seal of this Tribunal, this the 4th day of August, 1997.

No oral or documentary evidence is adduced by both the parties.

V. V. RAGHAVAN, Industrial Tribunal-I

नई दिल्ली, 10 सितम्बर, 1997

का. श्रा. 2533 :— श्रौद्योगिक विवाद श्रिवित्यम, 1947 (1947 का 14) की श्रारा 17 के अनुसरण में, केन्द्रीय मरकार सब डिवीजनल श्रांफिसर टेलीकांस, भोनगिर के प्रबन्धतंत्र के संबद्ध नियोजकों श्रौर उनके कर्मकारों के बीच, श्रन्वांध में निर्दिष्ट श्रौद्योगिक विवाद में श्रौद्योगिक श्रिविकरण, हैदराबाद के पंचाट को प्रकाणित करती है, जो केन्द्रीय सरकार को 10-9-97 को प्राप्त हुश्र था।

[सं. एव .--- 39012/ 58/95--- आई आर (डी. यू.)] के. वी. बी. उण्णी, डैस्क अधिकारी

New Delhi, the 10th September, 1997

S.O. 2533.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Hyderabad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Sub Divisional Officer, Telecom, Bhongir and their workman, which was received by the Central Government on the 10th September, 1997.

[No. L-40012|58|95-IR(DU)] K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL-I, AT HYDERABAD

PRESENT:

Sri V. V. Raghavan, B.A.,LL.B., Industrial Tribunal-I.
Dated, 4th day of August, 1997
Industrial Dispute No. 86 of 1996

BETWEEN

Shri T. V. V. S. Murthy, President AIP AOE, Union, Group C and D AP Circle, Flat No. 301 Balaji Towers, New Bakaram, Hyderabad-500 380.

... Petitioner.

AND

The S.D.O. Telecom., Bhongir, Nalgonda District, A.P.-508 116.

...Respondent.

APPEARANCES:

S|Sri J. V. Laxman Rao and R. Yogender Singh, Advocates—for the petitioner.

Sri P. Damodar Reddy, Advocate—for the Respondent.

AWARD

The Government of India, Ministry of Labour, New Delhi by its order No. L-40012|58|95-IR(DU) dated 27th June, 1996 referred the following dispute under section 10(1)(d) and 2A of Industrial Disputes Act, 1947 for adjudication:

"Whether the action of the management of Sub-Division, Telecom, Bhongir is justified in terminating the services of Shri G. Anjaiah? If not, to what relief the workman is entitled to?"

Both parties appeared and filed their pleadings.

(2) The workman G. Anjaiah, hereinafter called as 'Petitioner' filed a claim statement contending as follows: The petitioner was recruited as Casual Mazdoor in the Respondent-Department on 1st February, 1987 and continued upto 31st January, 1989. He thus completed total period of 350 days. He was disengaged with effect from 1st February, 1989. While terminating his services, many juniors were continued in service which is illegal and violative of section 25H of I.D. Act. The respondent did not follow the principle of 'first come last go' As per the departmental instructions in O.M. No. 49014|4|90 dated 8th April, 1991 and letter No. 269-10|89 STN dated 7th November, 1989 he is entitled to be continued in service while he completed more than 240 days and also for conferment of temporary status. He approached the Labour Commissioner, Conciliation failed and a report has been sent to the Government of India

which resulted in this dispute. The courts have held in many decisions that oral termination from service at a time when the workman is due for conferment of temporary status as per the rules of the department is against fair play and justice. Hence the respondent may be directed to reinstate the petitioner into service with full back wages and other attendent benefits.

- (3) The respondent filed a counter contending as follows: The Respondent-department is a sovereign function of the welfare state as per the directive principles of state policy as enshrined in the constitution of India and hence it cannot be termed as industry. The provisions of I.D. Act, are not applicable to this case. This Tribunal has no jurisdiction to entertain the dispute itself. The petitioner worked only 201 days and not 240 days as alleged by him. The petitioner is gainfully employed and also engaged himself in other profitable avocation in all these years. The retention of his juniors in the Department does not arise. The petitioner is not entitled to any relief.
- (4) The learned Advocate for the respondent-Management requested this Tribunal to decide the legality of the reference as a preliminary point, in view of the fact that the Supreme Court held that the Telecom Department is not an industry within the meaning of section 2(j) of the Industrial Dispute Act.
 - (5) Both parties are heard on the point.
- (6) The point for consideration is whether this Tribunal has got jurisdiction to adjudicate the dispute?
- (7) Point.—The petitioner-workman was employed in the Telecom Department. The Government of India made a reference to this Tribunal treating the Telecom Department as an industry and the petitioner as a workman coming within the purview of the Industrial Dispute Act, 1947. The Supreme Court in Sub-Divisional Inspector of Posts, Vaikam and Others v. Theyyam Joseph etc. (1996 LLR Page 483), while deciding the case of Postal Department which is a part of Telecom Department held as follows:

"Having regard to the contentions, the question arises whether the appellant is an industry? India as a sovereign solialist, secular democratic republic has to establish an egalitarian social order under rule of law. The welfare measures partake the character of sovereign functions and the traditional duty to maintain Jaw and order is no longer the concept of the state. Directive principles of state policy enjoin on the state diverse under part IV of the constitution and the performance of the duties are constitutional functions. One of the duties is of the state to pro-

vide a telecommunication service to the general public and an amenity, and so is none essential part of the sovereign functions of the state as a welfare state. It is not, therefore, an Industry?"

In view of the specific findings of the Supreme Court, Telecom Department is not an industry. This Tr'bunal has no jurisdiction to adjudicate upon the dispute between the Government Department and its employee. There cannot be an industrial dispute and so this Tribunal cannot entertain the dispute. If any between the petitioner and the Respondent.

(8) I, therefore, hold that this Tribunal has no jurisdiction to entertain this dispute and the petitioner is not entitled to any relief in this Tribunal. An Award is passed accordingly.

Given under my hand and the seal of this Tribunal, this the 4th day of August, 1997.

No oral or documentry evidence is adduced by both the parties.

V. V. RAGHAVAN, Industrial Tribunal-I,

नई दिल्ली, 10 सितम्बर, 1997

का. स्रा. 2534.—सौद्योगिक विवाद प्रधिनियम, 1947 (1947 का 14) की धारा 17 के ध्रनुसरण में, केन्द्रीय सरकार सब डिवीजनल स्रांफिसर, टेलीकांम,भोनगीर के प्रबन्धतंत्र के संबद्घ नियोजकों ग्रौर उनके कर्मकारों के बीच, भ्रनुबंघ में निर्दिष्ट श्रौद्योगिक विवाद में श्रौद्योगिक श्रधिकरण, हैदराबाद के पंचाट को प्रकाशित करती है, जो केन्द्रीय सरकार 10-9-97 को प्राप्त हम्रा था।

> [सं. एल--40012/59/95---ग्राई ग्रार (डी. यू.)] के. वी. बी. उण्णी, डैस्क ग्राधिकारी

New Delhi, the 10th September, 1997

S.O. 2534.—In purruance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Hyderabad as shown in the Annexure, in the industrial disputation. pute between the employers in relation to the management of Sub-Divisional Officer, Telecom., Bhongir and their workman, which was received by the Central Government on 10-9-97.

> [No. L-40012/59/95-IR(DU)] K. V. B. UNNY, Desk Officer

ANNEXURE

BEFORE THE INDUSTRIAL TRIBUNAL-I, AT HYDERABAD

PRESENT:

Sri V. V. Raghavan, B.A., LL.B., Industrial Tribunal-I.

Dated, 6th day of August, 1997

Industrial Dispute No. 87 of 1996

2357 GI/97--22

BETWEEN

Shri T. V. V. S. Murthy, President, AIP Adm. Officer I mproyees Union, Group C and D, AP Circle, Flat No. 301, Balaji Towers, New Bakaram, Hyderabad-500380.

Petitioner.

AND

The S.D.O., Teleco, Bhongir, Nalgonda District, A.P.-508116.

Respondent.

APPEARANCES:

M/s. J. V. Lalshmana Rao and R. Yogender Singh, Advocates for the Petitioner.

Sri P. Damoder Reddy, Advocate for the Respondent.

AWARD

The Government of India, Ministry of Labour, New Delhi by its Order No. 1.-40012/59/95-IR(DU) dated 27-6-96 referred the following dispute under Section 10(1)(d) and 2A of Industrial Dispute Act, 1947 for adjudication:

Whether the action of the management of Sub-Divisional Officer, Telecom, Bhongir is justified in terminating the services of N. Anjaiah? If not, what relief he is entitled to?"

Both parties appeared and filed their pleadings,

- (2) The workman N. Anjalah, hereinafter called as 'Petitioner' filed his claim statement contending as follows: The petitioner was recruited as casual mazdoor in the respondent department on 1-5-1987. He worked upto 31-1-1989. Thus he worked for a total period of 264 days. He is eligible for conferment of temporary status as he completed more than 240 days of service as per Government of India's O.M. No. 49014/4/90 dated 8 4-91 and D.G. Telecommunication's letter No. 29-10/89-STN dated 7-11-89. His juniors were retained while terminating his service. The respondent did not follow the principle of first come last go. Hance he approached the Labour Commissioner. Conciliation failed and a report has been sent to the Government of India by the Concilation Officer which resulted in this dispute. The Courts have held in many decisions that oral termination from service at a time when a workmen is due for conferment of temporary status as per rules of Department is against fair play and justice. Therefore the respondent may be directed to rejustate the retitioner into service with full back wages and other fattendant benefits.
- (3) The respondent filed a counter contending as follows: The respondent department is a sovereign function of the welfare state as per the directive principles of state molicy as ensharined in the Constitution of India. The activities of the respondent department cannot be termed as an industry. Hence the provisions of I.D. Act, are not amblicable to the present case. The netitioner did not work for more than 240 days as alleged by him. He worked only 227 days. The respondent never enouged any of his juniors or continued in service. Therefore the claim of the petitioner may be rejected.
- (4) The Learned Advocate for the Respondent-Department requested this Tribunal to decide the legality of the reference us a preliminary point, in view of the fact that the Supreme Court held that the Telecom Department is not an industry with in the meaning of Section 2(j) of the I.D. Act, 1947.
 - (5) Both parties are heard on the point.
- (6) The point for consideration is whether this Tribunal has got jurisdiction to adjudicate the dispute?
- (7) JOINT:—the petitioner-workman was employed in the Tolecom Department. The Government of India made a reference to this Tribunal treating the Telecom Department as an industry and the petitioner as a workmen coming written purview of the Industrial Dispute Act. 1947 the Supreme Court in SUB-DIVISIONAL INSPECTOR OF POSTS, Court in SUB-DIVISIONAL INSPECTOR OF POSTS, VAIKAM AND OTHERS Vs. THEYYAM JOSEPH ETC. (1996 LLR Page 483), while deciding the case of Postal Department which is a part of Telecom Department held as follows.

"Having regard to the contentions, the question arises whether the appellant is an industry India as a

sovereign socialist, secular democratic republic has to establish an egalitarian social order under rule of law. The welfare measures partake the character of sovereign functions and the traditional duty to maintain law and order is no longer the concept of state. Directive principles of State policy enjoin in the state diverge duties under part IV of the constitution and the performance of the duties are constitutional functions. One of the duty is of the state to provide a telecommunication service to the general public and an amenity, and so is one essential part of the sovereign functions of the state as a welfare State. It is not, therefore, an industry."

In view of the specific findings of the Sunreme Court. Telecom Denartment is not an industry and this Tribunal has no insidiction to adiadicate uron the dissuite between the Government Denartment and its employee. There cannot be an industrial dissuite and so this Tribunal cannot entertain the dispute, if any between the petitioner and the Respondent.

18) I, therefore, hold that this Tribunal has no jurisdiction to entertain this dispute and the petitioner is not entitled to any relief in this Tribunal.

An Award is passed accordingly.

Given under my hand and the seal of this Tribunal this the 6th day of August, 1997.

No oral or cocumentary evidence is adduced by both the parties.

V. V. RAGHAVAN, Industrial Tribunal-I

नई दिल्ली, 9 सितम्बर, 1997

का०आ० 2535—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ए० एन० जेड० फिडलेन बैंक, कानपर के प्रवधनंत्र केमंबंद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में, निविद्ध औद्योगि विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकाणित करती है, जो केन्द्रीय सरकार को 8-9-97 को प्राप्त हुआ था।

[संख्या एल-12012/94/92-आई आर (बी-jii)] पी० फे० माईकल, डैस्क अधिकारी

New Delhi, the 9th September, 1997

S.O. 2535.—In pursuance of Section II of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of ANZ Grindlays Bank, Kanpur and their workman, which was received by the Central Government on the 8-9-1997.

INo. L-12012/94/92-IR (B-iii)1
P. J. MICHAEL, Desk Officer.

ANNEXURE

BFFORE SRI B. K. SRÍVASTAVA, PRESIDING OFFICER. CENTRAL GOVERNMENT INDUS-TRIAL TRIBUNAL-CUM-LABOUR COURT, PANDU NAGAR, KANPUR

INDUSTRIAL DISPUTE NO. 81 OF 1992

In the matter of dispute between:

Manager. ANZ Grindlays Bank, PLC Mahatma Gandhi Road, Kanpur.

And

State Vice President, U.P. Bank Employees Union 23/74, Patkapur, Kanpur.

APPEARANCE:

B. P. Saxena for the Union & Amrik Singh for the Management.

AWARD

- 1. Central Government, Ministry of Labour, New Delhi, vide its notification no. L-12012/94/92-JR (B-iii) dated 30-6-1992, has referred the following dispute for adjudication to this Tribunal:—
 - "Whether the action of the management of ANZ Grindlays Bank Plc Kanpur in dismissing Sri R. G. Srivastava from service w.e.f. 22-8-1991 is justified? If not, to what relief the workman is entitled to"?
- 2. The concerned workman Sri R. C. Srivastava, was admittedly working at Kanpur Branch of the ANZ Grindlays Bank, He was issued a chargesheet dated 27-1-1988 which runs as under:—
 - You are aware that the hearing in the court case No. 5887/93 was fixed for 13-1-1998 in which you are also a party .On 12-1-1988 during office hours Mr. Bachhoo Lal Mishra told Mr. P. K. Seth Officer of the Bank 'tomarrow there is a court case so do not mark me late as I will go to court direct from my house. Mr. Seth told you and Mishra that you should first come to the bank, sign the attendance register and only thereafter you should go to court. In the evening again at around 5.30 p.m. you alongwith Sri B. L. Mishra approached Mr. Seth and told him not to mark Mr. B. L. Mishra late on 13-1-1988 and that he will go to the court straight from his house without first reporting to the bank. Mr. Se h asked you and Mr. Mishra to first come to the bank, sign the attendance register and then to go to the court. You and Mr. Mishra then asked Mr. Seth to talk to Mr. Sikka, Assistant Manager (Operations) who in turn advised Mr. Seth to write court case in the attendance register which fact was advised to you and also to Mr. Mishra-
 - On the same day i.e. 12-1-1988 Mr. Seth alongwith Mr. Arun Sharma were in the office at about 9.00 a.m. and were going to close the branch when you alongwith Mr. B. L. Mishra, Mr. Than Singh and an outsider entered the bank hall in a drunken state and started heatedly discussing the issue regarding marking late in the attendance register. Mr. A. Sharma tried to pacify you and the others by pointing out that such requirements are normal norms of the office and that the officers were carrying out the instructions as per office rules. It is reported that both Mr. Mishra and Mr. Than Singh abused the management officers as you

were looking on, Mr. Than Singh said "EK EK KU DEKH LENGE. MA CHOD DUNDA, EX EX ALIAN TOR DERIOR. Mr. Mishta adused thus "MAA Chod DUNUA, EK EK KI MAA CHOD DUNGA. With the persuation of Ivir. Actual Sharma and Mr. Sem omeers of the bank, you alongwith the others went out of the banking nall and stood in the banks compound as IMI. Sharma locked up the premises. Agam bom wir, mishra and man Singh started abusing Mr. Seth and the management 'in logo ki maa chod denge. Saio ki lang tod dange'. In the meanaine lvis, Shashia went to the resource Mr. Sikka in the bank compound to deposit the bank's key. The moment Mr. Sharma went out you along with the outsider paned Mr. Sein's the from his neck and manhangled and slapped him resulting in his speciacies being broken and he also got a bruise on his left eye.

One Mr. M. V. Srinivasan was appointed enquiry officer. The management adduced its evidence in run. The workmen also adduced evidence. After completing enquiry, enquiry officer submitted his reports noting that charges were runy proved. Consequently, a snow cause notice dated 21-6-1991, was issued which followed by dismissal order dated 22-9-1991. Appear against this dismissal order was also dismissed on 20-11-1991 feeling aggrieved the concerned workman has raised the instant madistral dispute.

- 3. In the claim statement it was alleged that he is the General Secretary of Grindlays Bank Stati Association. He alongwith Anshu Bejpai M.N. 4 were active members of the Trade Union and used to espous the cause of members of staff against whom wrong was done by the management. The management eliminated the nuisance of Anahu Bajpai by promoting him in officers grade. That offer was also made to the concerned workman but he refused and choose to continue to support the cause of staff. Thus, because of this ill will the management had given chargesheet dated 27-1-1988 based on wrongfacts. In fact incident never happened in bank premises. The enquiry was not fairly and properly held. Hence, Lis dismissal from service is bad in law.
- 4. The opposite party in its written statement has alleged that enquiry was fairly and properly held, the contents of charges were based on correct facts. In fact the concerned wrokman alongwith Bachhoo Lal Mishra, Than Singh and stranger did go in intoxica'ed condition in bank premises at about 7 p.m. and manhandled P.F. Seth as alleged in the chargesheet As the enquiry is fair and proper dismissal is also correct. By way of amendment it was further alleged that during the pendency of proceedings an application under section 33-2(b) of the I. D. Act was given before Central Industrial Tribunal-cum-Labour Court, Bombay, and the same was allowed on 30-3-1995. Thus the question as to whether engurry was fairly and properly held and as to whether the dismissal order is had, is barred by principles of Resjudicata.

- 5. In the additional rejoinger it was denied that the claim of the concerned workman is barred by principles of resjudicata 6. On the proprietory Tairness anu ot domestic issue regarding fairness and proprietory of domestic enquiry was tramed. Vide finding dated 12-9-1996, this tribunal held that enquiry was not fairly and properry held. The management preferred writ peti-tion No 33475 of 1996. De judgment and order dated 8-1-1997, Hon'ble High Court Allahabad had remanded the matter for recording finding on preliminary issue a fresh. Thereafter, both parties were By this time the piea of resjudicate was also added in the pleadings. Vide finding dated 7-3-1997, this tribunal once again held that enquiry was not fairly and property held. Further the claim of the concerned workman was not barred by principles of respudicata. The opposite party bank yet again preferred write patition No. 10204 of 1997 which was dismissed on 21-3-1997. On the date of arguments the authorised representative of opposite party bank informeed that Special Leave Petition filed before Hon'ble Supreme Court against this order of Hon'ble High Court had also been dismissed.
- 6. Now it remains to be seen if the concerned workman alongwith three others had visited the bank premises at about 9 p.m. on 12-1-1988 under influence of liquor and had actually assulted P. K. Seth-To prove this fact management had examined Arun Sharma, M.W. 1, and P. K. Seth M.W. 2, who have repeated the facts as given in the chargesheet containing the misconduct. Arun Sharma in his cross examination has stated that watchman used to close the bank. At the time of incident there was strength of three watchman. The building is guarded by all the 24 hours. Proceeding further he had stated that when all the four persons approached him liquor ordour was emerging from their breath. He had gone to the residence of Mr. Sikka which is in the campus but he was not available. He has also stated that injured P. K. Seth was not medically exammed as he was nurves. He does not know if any settlement had taken place between the concerned workman and P. K. Seth. He has further stated that immediately after the incident the concerned workman had asked for unqualified apology from P K. Seth in his presence in bank premises itself.
- 7. P. K. Seth W.W. 2 in his cross examination has stated that stranger had also slapped him. He had also admitted that there is residence of doctor quite close to the bank premises. He does not know if Bachhoo Singh and Than Singh who were empayees of the bank were also hauld up or not for this incident. As regards settlement as contained in Ext. M-2 he had stated that the concerned workman had forcibly obtained from him under duress.
- 8. B. M. Sikka M. W. 3 was Assistant Manager, at the relevant time. His evidence is that at that very night he had received a telephone message about the incident. Next morning too he was informed about it. Thus he was not a direct witness of the meident.
- 9. Anshu Bajpai M.W. 4 has been examined to prove adverse antecedents of the concerned work-

man. His evidence does not relate to incident in question.

- 10. In rebuttal the concerned workman has examined Shyam Bahadur W.W. I Watchman, who was on duty at that time. His statement is that he was on duty upto 9.00 p.m. on 12-1-1988 and no incident over took occurred in which the concerned workman alongwith Than Singh and others would have intimidated and attached P. K. Seth. In fact no such incident occurred at all. Bank premises itself was closed at about 8.45 p.m.
- 11. Ramesh Chandra Srivastava, W.W. 2 had stated that on 12-11-1988 he never visited at bank premises alongwith others. In fact he was down with High Blood Pressure. No such occurrence had happened at all. He had been cross examined at length but no question have been put or any suggestion have been made regarding the actual incident. In other words by way of cross examination the facts containing misconduct were not challenged at all. Instead repeated questions were made about the fact that he is head strong person and that he holds a Riffle and that he has been induldging in terroring the officers of the bank,
- 12. In my opinion, in this case the evidence of Shyam Bahadur W.W. 1 is of great importance and would seal the fate of the case. Indeed the management has not disputed the present of this witness. Admittedly he was on duty upto 9.00 p.m. Hence he is a natural witness of all the incident which might have occurred upto 9 a.m. on that day. In his cross examination this witness has stated that he was acquainted with the father of the concerned workman as well and he was an ex-employee of this bank. From this it is sought to be made out that he is a parties witness. I do not agree with this contention. It was further alleged that he has already retired, hence no importance should be attached to his evidence. I do not agree with this contention. It may be mentioned that this witness was also examined before enquiry officer and at that time he was very much in service. He has simply retired the facts which he had stated on oath before the enquiry officer. Further when he came to give his evidence for the second time before this tribunal, the concerned workman too was not in service. It is a human character that person worships only rising sun. As the concerned workman had already been dismissed it is not likely that Shyam Bahadur would have supported him unless the facts were true. Hence, I am inclined to attach full weight to the evidence of this witness. Further his evidence get support from other circumstances as well. After all this alleged incident of assault is said to be a sequel of refusal on the part of P. K. Seth to allow Bachhoo Lal to go to court directly and insisting upon him to come to bank and mark attendance in the attendance register. The concerned workman later on also supported this claim. When this matter was taken to Mr. Sikka he had the wish of Bachhoo Lal. When the request of Bachhoo Lal was already met. there was hardly any grievance left on the part of Bachhoo Lal against P. K. Seth. Thus in this case no motive was left for perpetrating this misconduct.

In any case if assault had taken place it would not have been related to incident of the after noon in which P.K.Seth had insisted Bachhoo Lal to come to bank first before going to court.

13. It has been admitted by P. K. Seth that there was bank's doctor quite close to the place of incident yet he did not go there. In nautral course when he had suffered he ought to have gone there for first aid that would have also gone in a long way in showing the time and place of occurrence.

It has emerged from the evidence of B. M. Sikka that Bachhoo Lal and Than Singh had empressed apology for the incident hence no action was taken against them. In his cross were granted reprieve orally. This does not apexamination he has stated that both of them peal to reason. Certainly the opposite party bank is one of the prestigious bank in India. Here no work is transacted orally. If there was truth in what Sikka had stated apology would have been taken in writing and orders would have been passed. In any case Bachhoo Lal and Than Singh should have been examined to prove the factum of apology. In its absence I treat this explanation of Sikka as a use for avoiding discrimination in the treatment of concerned workman vis-a-vis Bachhoo Lal Than Singh. Thus after disbelieving this version of Sikka (MW-3) I come to the conclusion that Than Singh and Buchhoo Lal have not been proceeded and Buchhoo Lal have not been proceeded with without any ryhm and reason. That is a strong factor to show that since these two persons were not involved in the incident no action was taken against them.

14. Next reference may be made to Ext. M-2 memorandum of understanding dated 13-1-88 which runs as under:—

The misunderstanding of 12th January, 1988 at 9.30 p.m. between the parties regarding some family affairs has lended to the parties satisfaction. Now we are satisfied with each other. Parties feel sorry for the misunderstanding. No misunderstanding will be there between the parties.

The authorised representative of the managament had vehemently argued that is is a piece of admission on the part of the concerned workman and from this along the charge is proved. In the first place a bare perusal of the above writing would go to show that there is no admission on the part of the concerned workman at all. Instead it relates the some mishap which

appened at about 9.30 p.m. on that very night between the concerned workman and P. Seth which was anuably settled and both felt sorry for their respective cause. When Seth was in witness for Tribunal inquired about this settlement. His reply was that it was obtained 4 under duress by the concerned workman. This explanation does stand to reason. This memorandum was signed in the bank premises during office hours. It is most unlikely that the concerned workman would have obtained it by force. Instead it appears to be the out come of free will of parties. It once again shows that this incident did not take place in bank premises. Instead some incident happened relating to family matters else where. In this way this paper also goes to lend support to the evidence of Shyam Bahadur.

15. Thus as the evidence of the concerned workman that no such incident happened as alleged in the chargeshect on 12-1-88 in the bank premises get support from the evidence of Shyam Bahadur M.W.1 and also from the above mentioned circumstances. I am inclined to accept it. It was further urged by the authorised representative of opposite party bank that if the fact was incorrect it is unlikely that P. K. Seth and Arun Sharma would indulded falsehood involving assault on P. K. Seth which is certain humalitaing fact. It may be true that P. K. Seth might have been assaulted but certainly he was not assaulted or manhandled in bank premises in the night of 12-1-88. It might have happened some where else in connection with family affairs as pointed in Ext. M-2 memorandum of understanding. If these witnesses have not come on out with true facts they have to thank themselves. In this way as the management witnesses have not spoken the truth about the actual place of occurrence, their remaining part of evidence showing various role of concerned workman, stranger, Bachhoo Lal and Than Singh can also not be accepted. It appears that the place of concurrence within the bank promises has been purposely made in order to add gravity to the alleged misconduct.

16. Lastly it has been established from the unchallenged evidence of the concerned workman that he is an active trade union leader and that he has forgone promotion in officer's to serve the cause of poor staff. In these back ground I find substance in the contention of the concerned workman that he has been roped in just to get rid of him from the bank.

- 17. Accordingly in view of above discussion. I do not accept the version of the management and believe the version of the concerned workman and hold that no such incident occurred in bank premises as alleged in the charge-sheet
- 18. As regards the plea of resjudicata it has already been thoroughly dealt with in my second finding on preliminary issue dated 7-3-97 and for the same reason this issue is decided against the management.
- 19. It was vehemently argued on behalf of the management that the concerned workman is a terror for the bank officer and staff and he room in bank armed with fire arm, hence he should not be reinstated in service. For this there is evidence of Anshu Bajpai, M.W. 4. Still I think that this cannot be a ground for refusing reinstatement if the concerned workman is including in all these activities charges can be framed against him and he can be proceeded with departmental enquiry.
- 20. In the end in view of above discussions, my finding is that dismissal of the concerned workman based on chargesheet dated 27-1-88, is bad in law and he is entitled for reinstatement with back wages.

B. K. SRIVASTAVA, Presiding Officer

नई बिल्ली, 9 सितम्बर, 1997

का० आ० 2536.— औद्योगिक विवाद अधिवियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नोर्धन रेलवे, इलाहाबाद के प्रबंधतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बील, अनुबंध में, निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकारण, कानपुर के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 8-9-97 को प्राप्त हुआ था।

[संख्या एल-41012/17/90-आई आर (छो०यू०)] पी० जे० माईकल, ईस्क अधिकारी

New Delhi, the 9th September, 1997

S.O. 2535.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Northern Railway, Allahabad and their workman, which was received by the Central Government on 8-9-97.

P. J. MICHAEL, Desk Officer [No. L-41012]17[90-IR(DU)]

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESI-DING OFFICER, CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT PANDU NAGAR, KANPUR

Industrial Dispute No. 264 of 1990

In the matter of dispute:

BETWEEN

B. D. Tiwari, Zonal Working President, Uttar Railway Karmachari Union, 85|196, Roshan Bajaj Lane, Ganeshganj, Lucknow.

AND

Divisional Railway Manager, Northern Railway, Allahabad.

APPEARANCE:

- P. K. Tiwari—for the Union, and
- H. Qureshi—for the management.

AWARD

- 1. Central Government Ministry of Labour, New Delhi, vide their Notification No. 41012 17 90 I.R.D.U., dated 25-10-90 has referred the following dispute for adjudication to this Tribunal:
 - Kya Divisional Railway Manager, Uttar Railway, Allahabad dwara Ram Swarup, Oil Engine Driver ko dinank 6-3-74 se ukta pad par niyukti avam dinank 1-12-78 se padonnati na karne ki karwahi nyayochit hai? Yadi nahi to sambandhit karmkar kis anutosh ke haqdar hai?
- 2. The case of the concerned workman Ram Swarup is that he was engaged as Khalasi on 1-1-60 and was posted at Hathras. Therefore he was promoted as SPA in April, 1962 and was posted at Tundla. He cleared trade test for Line Man in 1972. Before that junior to him were promoted as Oil Engine Driver. He was never called for trade test earlier. He gave an application in 1973 for promotion as Oil Engine Driver, He was called for trade test in May, 1974, he cleared the same. Still he was not promoted as Oil Engine Driver. He kept on moving representation ultimately he was promoted as O'l Engine Driver from 25-4-82. He is entitled for promotion w.e f. 1974 when he had cleared the trade test for Oil Engine Driver in 1973.
- 3. The opposite party has filed reply in which it has been denied that the concerned workman was ever cleared in the trade test in 1973.

- 4. The concerned workman has filed rejoinder in which nothing new has been said.
- 5. In support of his case the concerned workman has given his evidence as Ram Swarup W.W.1 in which he has stated that he had cleared the test of lineman in 1972. However, he has not stated any thing as to when he cleared the trade test for Oil Engine Driver. He has also filed a number of documents but the copy of clearance of that trade test has not been filed. Thus it is virtually a case of no evidence. In support of his case the concerned workman ought to have filed the copy of order of trade test to show that he had actually cleared the same. In its absence my award is that denial of promotion as Oil Engine Driver from 6-3-74 is justified and the concerned workman is not entitled to any relief.

B. K. SRIVASTAVA, Presiding Officer

नई विल्ली, 9 सितम्बर, 1997

का०आ० 2537.--- शौद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार नार्थ ईस्टर्न रेलवे, लखनऊ के प्रबंधतंत्र के संबद्ध नियोजकों और एतके कर्नकारों के बीच, अनुबंध में, निविष्ट अधिभिक्ष विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, कानपुर के पंचपट को प्रकर्तशत करती है, जो केन्द्रीय सरकार को 8-9-97 को प्राप्त हुआ था।

> [बं॰ एल-41012/124/94-आई आर (बी-I)] पी० जे० माईकल, ईस्क ऑधकारी

New Delhi, the 9th September, 1997

S.O. 2537.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial disute between the employers in relation to the management of North Eastern Railway, Lucknow and their workman, which was received by the Central Government on 8-9-97.

> [No. L-41/012/124/94-I.R. (B-J)] P. J. MICHAEL, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER CENTRAL GOVERNMENT INDUS-TRIAL TRIBUNAL CUM-LABOUR COURT, PANDU NAGAR, DEOKI PALACE ROAD, KANPUR

Industrial Dispute No. 107 of 1995

In the matter of dispute between:

Bal Kishan Maurya Vili Banohiyan Post Pithuyakhor (Shahjanwa) Gorakhpur.

AND

D.S.T.E. (Construction) North Eastern Railway Lucknow.

APPEARANCE:

P. K. Tiwari for the workman and Qumar Jahan for the Management Railway.

AWARD

1. Central Government, Ministry of Labour vide its notification No. L-41012|124|94-I.R. B-I dated 28-8-95, has referred the following dispute for adjudication to this Tribunal—

Whether the action of the DSTE (Const) N.E. Railway Lucknow in terminating the services of Sri Kalkaran Maurya Excasual Khalasi is legal and justified? If not to what relief he is entitled to?

- 2. The case of the concerned workman is that he was engaged as a Khalasi by the opposite party N.E.R. in 1977. Then he worked in this capacity in the year 1981. Thereafter he worked in the year 1985-86 and was discharged from service on 16-7-86. As he had completed for more than 240 days in a year his termination is bad being in breach of provisions of section 25F of I.D. Act. Besides there has been breach of provisions of section 25G of I.D. Act as well.
- 3. The opposite party has filed reply in which it is alleged that during the year 1985-86 the concerned workman was engaged against a sanctioned work under project. In all he had worked for 221 days, hence provisions of section 25F of I.D. Act are not attracted. It is denied that there has been breach of section 25G of I.D. Act.
 - 4. In the rejoinder nothing new has been alleged.
- 5. In support of his case the concerned workman Bal Kishan Maurya W.W.1 has examined himself whereas A. K. Das, Head clerk of the opposite party has been examined.
- 6. The concerned workman has stated that he had continuously worked and had completed 240 days. This statement stands belied from the copy of service cared which has been filed by the concerned workman himself. It goes to show that in the year 1977 he had worked from 16-4-77 to 15-9-77, in the year 1981 he had worked from 16-7-81 to 15-12-81. From 7-8-85 to 15-3-86 he had also worked and during this period in all he had completed 158 days. Thus according to own paper of the concerned workman it is established that he had worked only for 158 days. Hence, his claim that he had worked for more than 240 days is not correct. As such provisions of section 25 F of LD. Act are not attracted in this case.

- 7. There is no evidence worth the name to show that any junior to the concerned workman was retained in service.
- 8. Thus both grounds on which termination has been challenged fails. Accordingly my award is that the termination of the concerned workman is not bad and he is not entitled for any relief.

B. K. SRIVASTAVA, Presiding Officer

नई दिन्थी, 9 नितम्बर, 1997

का ज्ञा । 2538. अंशोशित विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुमरण में, केन्द्रीय सरकार नार्वत रेलवे, ध्यादायाय के प्रतंध्रतंत्र के संबद्ध नियो जिक्कों और उनके कर्वकारों के बीच, अनुबंध में, निर्विष्ट अधिनिय विवाद में अधिनियक अधिकरण, कानपुर के पचपट को प्रकाणित करती है, जो केन्द्रीय सरकार की 8-9-97 को प्राप्त हुआ था।

[দৃত চল-41012/138/92-आई आर (ভীত্যুত)/বী-I]
দৃত তীত মাৰ্ছিকল, ভীম্ক অধিকাৰ্টা

New Delhi, the 9th September, 1997

S.O. 2538.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Kanpur as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Northern Railway, Allahabad and their workman, which was received by the Central Government on 8th September, 1997.

[No. L-41012 138 92-I.R.(D.U.) B.I.] P. J. MICHAEL, Desk Officer

ANNEXURE

BEFORE SRI B. K. SRIVASTAVA, PRESIDING OFFICER CENTRAL GOVERNMENT INDUS-TRIAL TRIBUNAL-CUM-LABOUR COURT, PANDU NAGAR, KANPUR

Industrial Dispute No. 7 of 1994

In the matter of dispute between:

Zonal Working President, Uttar Railway Karamchari Union, 96/196 Roshan Bajaj Lane, Ganeshganj Lucknow.

AND

Divisional Railway Manager, Northern Railway, Allahabad.

APPEARANCE:

Quamar Jahan—for the Management and P. K. Tiwari—for the Union.

AWARD

1. Central Government, Ministry of Labour, New Delhi, vide its notification No. L-41012 [138]

92-IR, D.U. dated 21st January, 1994 has referred the following dispute for adjudication to this Tribunal—-

"Whether the action of the Divisional Railway Manager Northern Railway, Allahabad in denying promotion to Sri Beera Presad, Pump Engineer Driver to Gr. II scale w.e.f. 31st January, 1986 and to Gr. I scale from 1st January, 1988 is justified? If not, what relief the workman concerned is entitled to and from what date?"

- 2. The case of the concerned workman Beera Prasad is that he was engaged on 30th June, 1966 and came in skilled grade on 1st December, 1978, but the concerned workman was not assigned the proper seniority. He was entitled for promotion in the grade of Rs. 330—480 w.e.f. 1st January, 1978. Further he had passed trade test on 31st January, 1986 still junior to him like Ganga Ram, Har Vilas, Dina Nath, Hirday Ram, S. C. Pandey, Khedu Ram and Bachchu Lal were promoted and he was not promoted in Highly Skilled Grade II. He is entitled for skilled Grade I. He is doing the job of Oil Engine Driver. Hence he is entitled for promotion 10 Pump Engine Driver Grade II w.e.f. 31st March, 1986 and Grade I from 1st January, 1988.
- 3. The opposite party has filed reply which is evasive. In a vague manner it is alleged that the claim is not maintainable. Nothing has been said regarding facts of the case.
- 4. In support of his case concerned workman examined himself and has supported his claim. From his unrebutted evidence I feel that his case has been duly proved. Hence as per claim of the concerned workman as given in claim statement it is held that concerned workman will be entitled for Pump Engine Driver Gr. II scale w.c.f. 31st March, 1986 and Gr. I w.e.f. 3rd January, 1988
 - B. K. SRIVASTAVA, Presiding Officer

नई दिल्ली, 22 भितम्बर, 1997

का. आ. 2539.—कर्मचारी राज्य बीमा प्रधिनिथम, 1948 (1948 का 34) की धारा 1 की उपधारा (3) हारा प्रवत्त णिकतयों का प्रयोग करते हुए केन्द्रीय सरकार एनव्हारा 1 अक्तूबर, 1997 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 (धारा-44 और 45 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) और अध्याय-5 और 6 (धारा-76 की उपधारा (i) और धारा-77, 78, 79, और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है) के उपबंध आन्ध्रा प्रदेश राज्य के निम्नलिखन क्षेत्रों में प्रवन्त होंगे, अर्थात :—

''जिला कुरूनृल के कालूर राजस्व मंडल में राजस्व ग्राम पेडापाडू, पन्डीपाडू लक्ष्मीपुरम्, दीपाडू ग्रीर टाडा-कान।पाले की सीमाग्नों के ग्रन्तर्गत ग्राने वाले क्षेत्र''।

> संख्या : एस-38013/18/97-एस एस -1] जे, पी, श्का, ग्रवर सचिव

New Delhi, the 22nd September, 1997

SO. 2539.—In exercise of the powers conferred by subsection (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st October, 1997 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapters V and VI (except sub-section (1) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Andhra Pradesh, namely:—

"The areas falling within the limits of revenue villages of Pedapadu, Pandipadu, Laxmipuram, Deepadu and Tadakanapalle in Kallur revenue mandal of Kurnool District."

[No. S-38013/18/97-SS.I] J. P. SHUKLA, Under Secy.